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HEARING OF THE SENATE ARMED SERVICES COMMITTEE
SUBJECT: DOWNING ASSESSMENT TASK FORCE
CHAIR BY: SENATOR STROM THURMOND (R-SC)
WITNESSES: WILLIAM PERRY, U.S. SECRETARY OF DEFENSE
GENERAL JOHN SHALIKASHVILI, CHAIRMAN, JOINT CHIEFS OF STAFF
GENERAL WAYNE DOWNING (RET.), U.S. ARMY
222 RUSSELL SENATE OFFICE BUILDING
FRIDAY, SEPTEMBER 18, 1996

Sec Def's
opening statement

SAUDI ARABIA

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SEN. THURMOND: (Sounds gavel.) The committee will come to order. The committee meets this afternoon to receive testimony on the report of the Downing Task Force assessment of the facts and circumstances surrounding the terrorist bomb attack on Khobar Towers in Dhahran, Saudi Arabia, on June 25th.

Our witnesses today are Secretary of Defense Dr. William Perry, chairman of the Joint Chiefs of Staff, General Shali, and General Wayne Downing, U.S. Army, retired, and director of the Downing Task Force.

Our hearing today is a follow-on to the one hearing which the committee held on July the 9th, in which Secretary Perry, General Shali and General Peay, the commander in chief of the Central Command, testified about the terrorist bomb attack on Khobar Towers.

Gentlemen, I am going to cite a quote which everyone in this room, and those listening to this hearing, have heard many times. I can think of no other time when this quotation has been more meaningful and appropriate. And this is the quote: "Those who cannot remember the past are condemned to repeat it."

Mr. Secretary, terrorism is a threat faced by all U.S. forces and personnel stationed or deployed overseas. Consequently they need some understanding of this terrorist threat and how to combat it. Our past history includes terrorist attacks against U.S. military forces stationed in Europe and the Middle East. They include the disco in Berlin in the 1980s, a terrorist bomb attack in Beirut in 1983, and a November 1995 terrorist attack against U.S. forces in (Riyadh. ?) Ave. age Americans would think that we had learned something from these instances about protecting our forces and progress beyond the point at which we find ourselves today.

I have reviewed the findings and recommendations included in the

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Downing report. Frankly, to say I have grave concerns with what General Downing discovered in his investigation would be an understatement. Mr. Secretary, it appears from the findings included in General Downing's report that we have not learned much from previous investigations or similar incidents.

For example, part of that terrorist bombing of the Marine barracks in Beirut in 1983, the Long Commission had found that the command had failed to take adequate security measures commensurate with the increasing threat levels. Thirteen years later the Downing Task Force has determined as a result of this investigation that U.S. forces and armed services in Saudi Arabia and the region were vulnerable to a terrorist attack, and that the command had failed to take adequate security steps.

In 1995, an assessment of the shootdown of two U.S. Army UH-60 Blackhawk helicopters over Iraq were not acts of terrorism recommended a review of joint task forces worldwide to determine the appropriateness of their structure before their mission. Specifically, the questions were the appropriateness of the structure and the manning of temporary short-term contingent operations, which for all intents and purposes had turned out to be a long-term operation and commitment.

I understand that partial reviews took place and recommendations were made to established oversight programs to correct these situations. However, there was no adjustment to the structure and

manning levels of its forces in the area, a responsibility of the Central Command. Despite the long-term presence of U.S. military forces in Saudi Arabia, and the threat -- (inaudible) -- conditions which were increasing, the Air Force continued to maintain manning levels at a minimum level to reduce the visibility of U.S. forces in Saudi Arabia and limit the impact on Air Force units worldwide.

According to the Downing Report, the minimum manning levels and the frequent rotation of personnel contributed to and hampered the ability of the security police to sufficiently man its post when the threat level increased. In general, the Downing Task Force reviewed the recommendations of previous commissions. And, based on my review, the bottom line is that this administration and the Department of Defense (except for today) has learned very little of anything from the past commissions and reports. Over the past four years, as the missions of the Joint Task Force Southwest Asia have increased, the threat level and environment has increasingly become more hostile.

Yet the force structure and the support process has not changed, despite the November 1995 terrorist attack against U.S. personnel in the office of the program manager for the Saudi National Guard. Once again, a commission investigating a terrorist attack against U.S. military forces is pointing to the manning levels which are insufficient to have the mission and the terrorist threat to military forces in the region.

Mr. Secretary and General Shali, the American public has a right to know, as does the Congress, exactly what steps were taken by the administration and the Department of Defense following the November 1995 terrorist bombing attack. At a press conference last Monday, Deputy Secretary of Defense White commented that following the November 1995 terrorist bombing in (Riyadh ?), terrorist in Saudi Arabia became a top security priority. Again, I would have to say that I am concerned by the failure to take appropriate action.

Based on my understanding of the Downing Report, there were no standard policies and directives regarding post protection issues. I would like to know what (positive ?) guidance was issued, either by the secretary of defense, chairman of the Joint Chiefs, or even by the commander in chief of the Central Command, and military (officers ?) to their troops in the region, with regard to enhancing force protection to guard against another attack of this nature. Did you also determine that sufficient attention was being placed on ensuring that force protection guidance procedures or standards were adequate, or that they would have time to develop them and implement them at a future date?

I will end with this comment with regard to the defense budget: I am astounded of the lack of support from this administration regarding the amounts recommended by the Congress for fiscal year 1997 defense budget. Despite the high priority placed on countering terrorism throughout this administration's tenure, the fiscal year 1997 defense budget sent to the Congress did not contain adequate funding for counterterrorism. I am concerned about recent White House attempts to negotiate reductions -- I repeat, reductions -- in the fiscal year 1997 defense appropriation bill, despite recommendations of the Downing Task Force to increase the budget for counterterrorism for post protection. This comes on top of our recent moves to reinforce our forces in the Persian Gulf region with additional air power, sea power and ground forces. Additionally, there is an increasing likelihood that we would have to maintain some military presence in Bosnia after the scheduled withdrawal date of December the 20th. I would ask both Secretary Perry and General Shali to address

this issue in their comments today.

I would note for the benefit of committee members that a closed sessions will follow the open portion of this hearing. It will be conducted at the top-secret level in the Intelligence Committee hearing room in Hart 219.

Senator Nunn, do you have any comments to make?

SEN. NUNN: Thank you very much, Mr. Chairman. I too welcome our witnesses, Secretary Perry, General Shali and General Downing. I commend Secretary Perry for appointing General Downing to head the assessment task force, and I commend General Downing for comprehensive no-holds-barred and prompt assessment report.

I also commend Secretary Perry for taking prompt, and I believe very serious, action in response to General Downing's recommendations.

I want to express my deep condolences once again to the families of those fine Americans who lost their lives; and my heartfelt wishes for a speedy and full recovery for those American airmen and the personnel of our allies who are still recovering from their injuries.

I also take note of the fact that one of the principal purposes of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 was, and I quote from section three of that act, quote, "To assure that the authority of the commanders of the unified and specified combatant commands is fully commensurate with responsibility of those commanders for the accomplishment of missions assigned to their commands," end quote. The act contained a number of provisions to effectuate that policy, including specifying that the authority of the combatant commanders include the command functions of, A, giving authoritative directions to subordinate commands and forces necessary to carry out missions assigned to the command, including authoritative direction over all aspects of military operations, joint training and logistics; B, proscribing the chain of command to the commands and forces within the command; C, organizing commands and forces within that command, if he considers it necessary to carry out missions assigned to the command; D, employing forces within that command as he considers necessary to carry out the missions assigned to the command; and, E, assigning command functions to subordinate commanders.

I was surprised to read in General Downing's report a finding that stated, quote, "Current U.S. Central Command relationships do not contribute to enhanced security for forces operating in the region,"

end quote. That finding to me raises important questions, including: Since the Joint task force commander of Southwest Asia was in charge, as I understand it, of the mission and the operation, really did it make sense to assign the protection of forces to component commanders located thousands of miles away? And I believe that was what happened. I'll go into questions on that.

B -- and this raises the Goldwater-Nichols question -- was the policy -- is the policy of Goldwater-Nicholas legislation to enhance the authority of combatant commanders? Is that authority adequate or clear? Or is further direction in law needed?

Next: Is force protection part of the operational mission of the combatant commanders? And finally, have the command relationships that, quoting General Downing, quote, "did not contribute to enhanced security for the forces operating in the region," end quote -- has that been corrected, the command functions -- has that been corrected? I'll have other questions as we go along, but having gone through this command problem in Lebanon, and seeing the result there -- the tragic result -- I certainly think that this question of command relationship deserves all of our careful attention. Thank you, Mr. Chairman.

SEN. HELMS: (Secretary Perry ?), glad to have you with us. You may make a statement.

SEC. PERRY: Thank you, Mr. Chairman. On Monday night I returned from a trip to the Arabian Peninsula, Turkey and the United Kingdom. — I went there to consult with key Arabian Gulf and coalition allies about how to respond to Saddam Hussein's latest acts of aggression and provocation.

Let me give a very quick trip report, because what I did there is closely related to the force protection issue we are discussing today. In three days I traveled 14,000 miles, and met with the leaders of five countries, the heads of state and defense ministers of Saudi Arabia, Bahrain, Turkey and Kuwait. And then I stopped off in London on the way home and met with my British and French counterpart ministers. I am happy to report to you that the coalition is alive and well, and is united in its determination to contain Saddam Hussein and to continue Operation Southern Watch in its expanded form.

We are flying additional sorties from Saudi bases to enforce this expanded no-fly zone. We have (betted ?) down an additional strike aircraft -- F-117s in Kuwait and F-16s in Bahrain. And we are sending 3,500 additional troops to fall in on the prepositioned heavy army

equipment in Kuwait.

Our British allies are in full agreement with us, and have joined us in a warning to Iraq to stop all operations that threaten our air crews. And the French, while they are not in full agreement with us, are supportive and continue to participate in Southern Watch.

While I was in the region I also visited our military forces there to review the measures which I have directed to protect them against terrorism. In particular, I visited our air crew at the Prince Sultan Air Base in Saudi Arabia. These are the forces that we moved from Riyadh and Dhahran after the bombing at Khobar Towers. I was there six weeks ago to get the approval of the Saudi government for that move. The transformation in six weeks is stunning. Six weeks ago it was a large base, but a base which had not been used for several years -- had no housing. Today it is a fully functioning facility supporting more than a hundred sorties a day overflying into southern Iraq. This is a tribute to the outstanding work of General Peay and his Central Command team. We should also credit the very strong support we have gotten from Prince Sultan, the Saudi Arabian minister of defense, and the Saudi Air Force.

So the terrorists who attacked our forces in Saudi Arabia last November and last -- (audio break) -- failed in their first objective. They failed to drive a wedge between the United States and Saudi Arabia. Now we must ensure that the terrorists do not succeed in their other objectives -- to undermine America's will so that we will abandon our military presence, our interests, and our allies and go home. We must not do that.

So we need to start, then, with what is at stake. What is at stake are the same vital interests for which America fought in Desert Storm, to protect the vast energy resources of the region, to protect the stability of the region, to prevent Iraq from developing nuclear, biological, and chemical weapons, and to protect freedom of navigation in the air and sea lanes in the region. These are vital American interests. We are not in Saudi Arabia as a favor to any other country. We are there to protect our vital interests.

We do have close cooperation with friends in the region, and after my visit I can state to you flatly that they want us to remain and that the cooperation will continue.

Desert Storm ejected Saddam Hussein's armies from Kuwait, but it did not end his threats to the region. He has continued to ignore or

obstruct the U.N. Security Council resolutions that define the terms of the cease-fire. He has also taken overt acts threatening peace in the region. Each time, we have answered quickly and decisively. Each time he has crossed the line, we have responded, when necessary, with military force. We can do that only because we maintain a robust military force in the region.

Therefore, I reject the option of withdrawing our forces. Clearly, the threat of terrorist attack against our forces poses a direct challenge to our force presence in Saudi Arabia. Indeed, the attack at Khobar Towers dramatically underscores that for our forces overseas, terrorism is a fact of life. We can expect terrorists to try again to attack our forces. The next target could be anywhere in the region or anywhere in the world. The next target could -- the next weapon could be a larger bomb or a chemical weapon or a nerve agent.

We still mourn for the five Americans killed in Riyadh and the 19 Americans killed at Khobar Towers, but we cannot restore them to their loved ones. What we can do is learn lessons from these tragedies, and the most important lesson is that Khobar Towers is a watershed event that points the way to a radically new mindset and dramatic changes in the way we protect forces from the growing terrorist threat.

We learned lessons after the Riyadh bombing last November. In response to that terrorist attack, we recognized that the Saudi oasis of calm in that region had vanished, and we raised the threat assessment level in the kingdom to high. We beefed up security, including more than a 130 separate force protection measures at Khobar Towers alone. These measures did succeed in preventing a penetration of the security perimeter, thereby undoubtedly saving hundreds of lives. But, clearly, they were not enough.

The Khobar Towers explosion was of unprecedented magnitude. Our defense special weapons agency, whom I assigned more than a month ago to make an assessment of this, assesses that the bomb was more than 20,000 pounds equivalent TNT. That is about 100 times larger than the previous bomb used in Riyadh. The attack was of an unexpected sophistication. The terrorists had well-developed intelligence, they maintained tight operational security, and they penetrated extensive Saudi domestic security apparatus.

The scale of the attack partially circumvented the extensive force protection measures we took after the Riyadh attack and in response to intelligence indications.

We now know that we face an unprecedented threat. We must fundamentally rethink our approach to force protection, and we have done that along three lines. We are relocating, we are restructuring, and we are refocusing.

First, we are relocating. The location at Khobar Towers made defense against such an attack almost impossible. Therefore we are moving our combatant forces to the Prince Sultan Air Base, whose remote location permits much more extensive security protection against terrorist attack. I had the opportunity to review that when I was visiting the Prince Sultan Air Base. They have, for example, a 1,200-foot security perimeter all around the base, a single access road with very, very tight controls.

Our noncombatant forces in Riyadh perform missions that require them to remain in that urban area, so we are consolidating them at Eskan (ph) Village and undertaking newer security precautions there.

Secondly, we are restructuring. We are changing assignment policies, and we are bringing home most family members.

And, third, we are refocusing. We realize that incremental fixes in force protection can always be defeated by attacks of greater magnitude. Force protection in this new threat environment is not simply more barriers and more guards. It requires a fundamental re-evaluation of how we prepare for, equip, and posture to do missions.

We have always been concerned about force protection, but now we must factor into our force protection plans the threat of sophisticated and massive terrorist attacks. As we decide where and how to deploy our forces overseas, we will place the threat of terrorism front and center. Force protection against terrorist attacks will now be one of the most important considerations we weigh, along with other key mission tasks, when we decide how best to undertake a deployment, and we are examining our current missions in light of this threat to make sure that we have thought through force protection in the way we are carrying them out.

This message has gone out to all of our commanders.

Hasn't force protection always been important? Of course it has. A good example is in Bosnia, where we face a variety of threats. When we approved the Bosnia mission, force protection was given a high consideration. Indeed, it was determined by the force commander to be

a primary component of his mission. That led to an extensive set of protection measures, including the requirement to wear flak -- flak vests when outside secure areas, a no-alcohol policy, and extensive and specific threat training for everyone who was deployed to the theater.

These were the right force protection measures for the Bosnia mission, and they have paid off very, very well for us.

But while force protection has always been important, I now believe that we must expand the scope and increase the priority of force protection in every mission because of the elevated terrorist threat. Putting force protection up front as a major consideration, along with other mission objectives, will require changing the mindset with which we plan and carry out operations and will also require structural changes in the Department of Defense. It will require tradeoffs in other areas -- cost, convenience, in quality of life for our troops.

This will be a tough answer for our men and women in uniform, who will live in less comfortable surroundings and spend more time avoiding and defending against terrorism. When our air crews move from Khobar Towers to the Prince Sultan Air Base, they're moving from an air-conditioned apartment building to tents. This is not an improvement in the quality of life for them, but it will be protecting their lives.

It is also a tough answer for them and their families, more of whom must now experience the loneliness of unaccompanied tours.

The other important step I took after the Khobar Towers attack was to ask General Wayne Downing (ph) to give me a fast, unvarnished, and independent look at the incident and our force protection policies and practices in the CenCom region and to offer ideas on how we can prevent such tragedies in the future.

General Downing's report confirms my belief we must make a fundamental change in our mindset, and we are responding this report with an additional set of actions beyond the ones that I'd already taken.

First of all, I am issuing a DOD-wide force protection standard. Secondly, we will ensure that designated local commanders have full authority and responsibility for force protection. Third, the secretary of State and I have agreed to transfer responsibility for

force protection for most of our noncombatant troops on the Arabian peninsula from the State Department to the Department of Defense, and we will consider this policy for other locations, as well. Fourth, we will take steps to improve intelligence collection on the terrorist threat and making it more useful to commanders in the field. Fifth, we will take steps to improve U.S. host nation cooperation on force protection. Sixth, we will raise the funding level and resource visibility for force protection, including efforts to seek out new technology.

And, finally, I am designating the chairman of the Joint Chiefs of Staff as the single, DOD-wide focal point for force protection, and in his testimony he will tell you more about how he is going to carry out that responsibility.

Since the first day that I have been the secretary of Defense, my first priority has been for the safety and welfare of our forces. We have large forces, and they are often exposed to danger, and so we do have incidents where our military personnel are killed in accidents, in terrorist attacks, in military conflicts. Each time this happens, I feel the loss deeply, and each time, I review what we can do to reduce the risk to our military forces in the future.

It was in this spirit that I asked Wayne Downing to conduct the study. I did not want a whitewash, I did not want a cover-up. I wanted a hard-hitting analysis that gave thoughtful recommendations for real change.

Those of you who have had time to read this report will see that I got what I asked for, as I knew I would when Wayne agreed to be the chairman of this commission. Now it is up to General Shali and me to carry out those recommendations. I have already completed action on very extensive changes to improve protection of our forces in Saudi Arabia, which I have partly described to you by describing the Prince -- the move to Prince Sultan Air Base. I have approved and initiated action on the other important changes recommending by General Downing, and I have restructured our institutions so that these changes will endure.

Endurance is important, because I believe that terrorists pose a serious threat to our forces today and will for many years to come.

Most of what I've described to you looks forward. It describes actions we are taking to provide -- improve the protection of our forces from now on, but I must also be concerned with looking back.

What led to the tragedy, and how do we determine responsibility?

The day that I received the Downing (ph) report, even before I read it, I sent it to the secretary of the Air Force with a request to determine accountability and consider possible disciplinary actions. The Air Force has subsequently established a conveniatory (ph) to that purpose, which requested findings no later than December the fourth, and we will take appropriate actions at that time.

I cannot comment further at this time on the culpability of individuals without exerting command influence which could prejudice their findings, but I also have to consider my own accountability. As the secretary of Defense, I am responsible for the safety and welfare of all our forces, and I feel this responsibility very deeply.

How do I manifest that responsibility? I cannot expect every security fence or determine the adequacy of every base force protection plan, but I can manifest this responsibility in four important ways.

First of all, by establishing the policies and the guidance for our commanders, including the policy and guidance on force protection. Secondly, by organizing instruction at the Department of Defense in such a way that force protection is optimal. Third, by allocating resources to our commanders, including resources for force protection, and, finally, by carefully selecting and supervising the military and civilian leadership in the Department of Defense. These are the criteria by which I judge myself whether I am meeting my responsibilities.

How well have we done on establishing the policy affecting force protection? We did have policy guidance for force protection which spelled out in considerable detail how force commanders should carry out their force protection responsibilities. General Downing (ph) has pointed out that they were not directives and that they were not given sufficient emphasis and attention. I believe that Wayne is right on that. This was my responsibility, and I am already taking actions to change these to directives and to send orders to all commanders to increase the emphasis on priority.

Secondly, how well did we organize to carry out force protection responsibilities? Goldwater-Nickles made fundamental changes in our command structures. These changes have been incorporated, and I believe serve us very, very well. General Downing's (ph) report has argued that we are -- while we meet the letter of Goldwater-Nickles in

the force protection area, we do not meet the spirit, because the commander who has the responsibility is 7,000 miles away from the scene of the operations. I believe, and General Shali believes, that he has a good point. We are adding that force protection responsibility to the Joint Task Force commander who is on site, and are considering more extensive changes. General Shali will discuss that more in his testimony.

How well have we allocated resources for force protection? We spend literally billions per year on force protection, and I believe it is well spent. But General Downing (ph) is correct in saying that we do not have a budgetary focus on force protection, nor do we have a budgetary focus in our resource allocation process and the institutional process by which we decide how to pass funds out to different programs.

This is also my responsibility, and I have concluded that it has to be changed. I am changing it in two different respects. First of all, I have directed the comptroller to organize and isolate and then aggregate all of the force protection features in our budget so that we can look at force protection as an entity, and this, then, gives us a handle on what is happening in force protection.

Having that handle, we then need somebody to grab the handle and turn, and so the second change is that I've designated the chairman of the Joint Chiefs of Staff as the focal point, focal responsibility within the Department of Defense, for overseeing that responsibility. That means, then, that as the commanders in the field see issues or see problems and want support, if they require budget support, they require new R&D, they require more resources, they can go directly to the chairman and he can grab that handle and get something done. We have that handle if we want to build a new fighter airplane or if we want to build a new submarine. We do not have it for force protection, and this change will accomplish that.

Finally, I have thought very carefully about my responsibility for the selection of our senior military leaders -- in particular, General Shalikashvili and General Peay. I recommended both of them to the president with full confidence in their ability, and I still recommend them and I still have full confidence in their ability. They are superb soldiers with a distinguished combat record. They are strong military leaders. They are dedicated to the safety and welfare of their soldiers.

In spite of that, this tragedy occurred, and they are now working

day and night to try to -- to take actions which can prevent a recurrence of the tragedy.

If this nation ever gets into a real military conflict again in southwest Asia or any other place in the world, we will thank God that we have military leaders like General Shalikashvili and General Peay, so to whatever extent they are responsible for this tragedy, then so am I, for I supported them and I still support them.

This is how I see my personal responsibilities. From my first day as the secretary of Defense, I have put all my energies and talent into carrying out the responsibilities of this vitally important job. I have enjoyed some substantial successes, and I am proud of those successes. The Khobar Tower was a tragic failure.

In the wake of this failure, many in Congress and in the media are asking who is to blame. I will not participate in the game of passing the buck. We have a systematic and judicious process of military justice. We will let it proceed carefully and objectively. In the meantime, I will not seek to delegate the responsibility for this tragedy to my military leaders. They have served their country with enormous distinction and considerable sacrifice. They deserve our gratitude, not our blame.

To whatever extent you judge that this tragedy resulted in failures of leadership, the responsibility is mine.

Mr. Chairman, that concludes my statement.

SEN. THURMOND: Thank you, Dr. Perry. General Shali, would you care to make a statement?

GEN. SHALIKASHVILI: Thank you very much, Mr. Chairman and members of the committee. Before I elaborate on some of the major initiatives that we have undertaken following the terrorist attack on Khobar Tower, I too would first like to, again, express my deep condolences to the families of those 24 servicemen and women who lost their lives to terrorism in the last 10 months in Saudi Arabia.

I would also like to briefly reflect on the magnitude and the complexity of the mission of Central Command, as well as the dedication and the professionalism and the heroism of the men and women of that command. Now, since 1992, CENTCOM has flawlessly executed many diverse missions, the most widely known of which is Operation Southern Watch, the enforcement of the no-fly zone over

southern Iraq.

This mission alone requires, on the average, over 2300 air sorties per month. But this was only the beginning. Within the last two years, CENTCOM also conducted continuous maritime intercept operations, as well as five major contingency operations, and most recently, the air strikes in the southern no-fly zone. All of this was accomplished over lines of communication stretching more than 12,000 sea miles between the United States and the Gulf.

But CENTCOM hasn't just been busy. They have been highly effective at getting the job done as well; first, ejecting Saddam Hussein from Kuwait and then deterring further attacks against our allies and the region's oil supply and enforcing U.N. Security Council resolutions, thus protecting America's vital interests. And until recently, CENTCOM's demanding military operations could safely be its primary focus.

But as Secretary Perry mentioned, in November of '95, when a bomb exploded near a U.S. security assistance facility in Riyadh, this focus had to be broadened, for terrorism in Saudi Arabia had become a high-priority security issue. And in the Gulf, our forces did, in fact, aggressively begin to improve their security posture against terrorism.

In Saudi Arabia, force protection improvements were extensive. In the half-year after the November bombing, CENTCOM personnel conducted security reviews at nearly every installation in the region. At Khobar Towers alone, CENTCOM personnel completed more than 130 anti-terrorist improvements. Indeed, some of those measures, as Secretary Perry alluded -- barriers, sentries, roving patrols, extremely effective entry control procedures -- kept the terrorists from penetrating the compound, and thus undoubtedly saved hundreds of lives, preventing an even greater tragedy.

After the attack at Khobar Towers, more lives were saved by the sentries who risked their lives to alert the occupants, by the buddy-system teams who attended to each other before themselves, by the physicians and medical technicians who were flown in within hours, and by the dedicated people all along the evacuation route through Europe to the United States. And don't forget, CENTCOM's Joint Task Force Southwest Asia was back flying again, doing its mission, within 48 hours after it had been attacked.

This command is now operating in a radically different

environment. After the bombing at Khobar Towers, it was clear that terrorism, and especially terrorism in the Persian Gulf region, had reached a new level of destructiveness and sophistication. And to meet this challenge requires we change the way we go about the business of force protection.

So let me highlight some major areas that I elaborated on in the secretary's report to help us meet this new challenge. Let me begin with unity of effort. Secretary Perry said he has directed that I, as the chairman of the Joint Chiefs of Staff, assume the duties as the department's focal point for all force protection matters. In turn, I am establishing a permanent office within the joint staff under the direct supervision of a general officer to deal with all matters of combating terrorism. I will also draw on the Joint Requirements Oversight Council, the JROC, existing combat support agencies and others in and out of government to help in this effort.

Among its many tasks, this new office will help me assist field commanders and to ensure that force protection considerations are included in every aspect of our activities worldwide. To do this, we will focus on force protection doctrine, on standards, on training and requirements, as well as force protection programs and levels of funding. We will pursue innovative technologies and work closely with our allies, who face many of the same threats that we do.

To ensure better coordination overseas, and in agreement with the secretary of state, (CINCCENT?) has been given force protection responsibility and authority for all Department of Defense activities on the Arabian Peninsula other than those that are an integral element of the U.S. ambassador's country team. Just yesterday, when I met with our unified commanders, I asked them to advise me whether this agreement might not also be a prototype for the force protection arrangements in their regions as well.

Along with improving our unity of effort, command and control is a critical consideration in the organization of every joint task force. As an immediate step, we have given the commander of Joint Task Force in Southwest Asia the specific authority and responsibility for force protection for all combatant units in the region operating in support of Operation Southern Watch. And as a further step, we are investigating the feasibility and advisability of establishing a Central Command forward headquarters that then could assume force protection responsibility for all forces in the Arabian Peninsula.

To achieve key leader stability and reduce personnel and unit

turbulence, we have lengthened the tours of senior leaders and we are extending the tours of other individuals, as well as units. And to strengthen our posture further, we require viable force protection standards, sound force protection doctrine, and appropriate force protection training.

While we did have advisory force protection standards, we have now reissued them as a directive, and we will be further refining these standards to ensure that they fully address the new terrorist threat. Let me give you some examples of the current efforts to improve doctrine, development and training.

First, we will be reviewing our extensive joint and service doctrine publications to ensure that they also address the new threat and that we have common guidance, procedures and standards at all levels of command.

Second, we will also review all force protection training to ensure that our schools and training centers teach the right material and that we have force protection training requirements that are tailored to the specific needs of each regional command.

Third, we have learned a great deal about specialized pre-deployment training from our efforts last year to prepare our forces for deployment to Bosnia. Drawing on that experience, the U.S. Atlantic Command, in conjunction with the services and the other unified commands, has developed a draft anti-terrorism training plan to ensure that we provide theater-specific training to individuals and units before they deploy to a theater.

Finally, I have directed the National Defense University to review the status of anti-terrorism instruction in our professional military education system to include risk management training for our leaders.

Now, the last area I would like to address is intelligence. Despite our best efforts, improvements in tactical intelligence are certainly warranted. Our intelligence goal must be to pre-empt and disrupt terrorist cells before they can plan and carry out acts of terrorism against our forces. Thus the collection, analysis and dissemination of timely and predictive tactical intelligence on the plans, methods and intentions of terrorists is of utmost importance.

This requires the use of all types of intelligence assets, including technical intelligence and human intelligence, to accomplish

all-source intelligence analysis on anti-terrorism matters. We have already increased the number of analysts who are working in anti-terrorism cells at every level, from the Pentagon down to the joint task force. Our primary concern today is to make sure we have enough analysts who are properly trained in terrorism-related issues assigned to these critical analytical positions.

At the user level, we must continue to ensure that the intelligence we acquire about terrorists can be sanitized and then quickly passed to the lowest classification level possible to the individuals who must act on it to protect our men and women.

Overall, we must take action to increase the emphasis on terrorist-related intelligence and improve intelligence-sharing with host nations. The department and the DCI are working in unison to determine what further improvements must be implemented.

Mr. Chairman, in conclusion, we will neither be deterred from pursuing our interests, nor will we be prevented from protecting our forces. While future terrorist acts are certain, just as certain must be our resolve to protect the lives of our men and women in uniform and Americans everywhere from terrorist attacks. And to assure that this happens, we are moving out with dispatch on these and other initiatives outlined in Secretary Perry's force protection report.

Thank you very much, Mr. Chairman.

SEN. THURMOND: General Downing.

GEN. DOWNING: Thank you, Mr. Chairman and members of the committee. Our charter, as given to us by the secretary of defense, directed the task force to assess the extent to which the casualties and damage sustained at Khobar Towers were the result of inadequate security policies, infrastructures or systems. Dr. Perry also asked the team to recommend to him measures that could minimize casualties and damage from such attacks in the future.

Within 24 hours of receiving this charter, we began to form a task force composed of officers, non-commissioned officers, DOD civilians and retirees from the Army, the Marine Corps, the Navy and the Air Force, located throughout the United States. The task force also included representatives of the Department of State, Department of Energy, and the Federal Bureau of Investigation.

We interviewed over 400 individuals, and this included everyone

from General Peay, commander-in-chief, Central Command, to the sentries on top of the room of Building 131 at Khobar Towers. We analyzed literally hundreds of documents. And I must report to you that we received the full cooperation from not only the defense command, or Defense Department, but also all federal agencies.

The Saudis, the governments of Kuwait, Bahrain, Qatar, the United Arab Emirates and Egypt, as well as our allies and friends -- the British, the French, the Israelis and the Jordanians -- all recognize the importance of the task force mission to the future security of U.S. forces deployed overseas, and all fully supported our efforts to find more effective ways to deal with terrorism.

Ladies and gentlemen, terrorism represents an undeclared war against the United States. The military forces of this country are clearly superior to all others in the world, and this margin of superiority grows with every day. Convinced of the futility of challenging our forces directly or challenging them head-on, some enemies are attempting to wage war against us asymmetrically.

Some of these enemies feel that our greatest vulnerability is an American intolerance to casualties. If we prove ourselves incapable of responding to terrorism, then terrorists will continue to represent a significant threat to us. They will continue to attack us, especially our service men and service women stationed overseas.

The secretary's report to the president, in our estimation, adequately addresses the main findings and recommendations of the task force. Perhaps the most important point or points are the institutionalization of some of the things that are going to be needed to make this effort continue in the future. And that's the key to this, because the devil is in the details. How will this be enacted? What will the follow-through be to ensure, six months from now, a year from now, five years from now, that we actually implement those actions that are needed? Because if we have a successful anti-terrorism program, nothing is going to happen. We're going to be successful. And when nothing happens, that is when we can get lulled into a false sense of security.

Since Secretary Perry and General Shalikashvili have discussed the majority of our major findings and recommendations, let me just highlight a few. The first is unity of command. In order to have a unified approach to force protection, one man must be in charge in the Gulf region. Goldwater-Nickles assigned great power to the unified combatant commanders. I believe the law's intent was to strengthen

joint operational command while allowing the services the mission of training, equipping and sustaining the force.

Force protection is an operational issue. It's the commander's business. It always has been and it always will be. There are training and equipping pieces to it, but ultimately it is an inherent function of command. Placing two of the service components, Air Forces Central Command and Army Forces Central Command, in charge from a distance of 7000 miles away in the United States satisfies the letter of Goldwater-Nickles, as the secretary said, but it does not satisfy the spirit of the law. And while a commander-in-chief under Goldwater-Nickles may delegate operational control of his forces in theater to service components, doing so dilutes this principle of the unity of command and it circumvents the real intent of Goldwater-Nickles, which was to put the joint commander clearly in charge of operational matters.

As the secretary's report states and as the chairman has just told you, establishing a CENTCOM forward headquarters is one example of how such unity of command could be achieved. But we believe it is important that we do not extend these lines of command back to the United States, and the operational control of all forces operating in Saudi Arabia and the Gulf are exercised by one man, one forward-deployed headquarters.

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GEN. DOWNING: That's correct, senator.

SEN. NUNN: And who had operational control in this situation?

GEN. DOWNING: The operational control for the air forces was maintained by Ninth Air Force at Shaw Air Force Base, South Carolina.

SEN. NUNN: For force protection?

GEN. DOWNING: That's correct.

SEN. NUNN: So they were located thousands of miles from the scene?

GEN. DOWNING: That's correct.

SEN. NUNN: In your opinion, who should have been given the operational control in terms of force protection?

GEN. DOWNING: In my opinion, I think Commander J.T.F Schwa (ph), the joint task force commander, should have been given operational

control of those forces, and given the resources to execute operational control.

SEN. NUNN: In your opinion, did you find that that would have made a material difference in what happened? Is that speculation? Or what's your assessment?

GEN. DOWNING: No, I think it would have made a material difference. You'd have a commander out there on the scene who lives it, breathes it, smells it, knows it, is threatened himself. And he would have been in charge.

I would like to point out to you that there is one component commander forward, and that's NAVCENT. Naval Forces Central Command is in Bahrain. And --

SEN. NUNN: It's the --

GEN. DOWNING: Vice Admiral Tom Fargo (sp), the commander, and I can tell you the difference in the approach of that command to what we saw at the other locations was clear and noticeable. So the presence of that commander forward, who has operational control with the forces, makes a significant difference.

SEN. NUNN: So there's really not the question of whether a component commander per se is given the operational control for force protection; the question is whether that component commander is on the scene. And what you are really saying in this case the component commander was not on the scene. In other cases, giving this operational control to a component commander that is on the scene would meet your standard -- is that right?

GEN. DOWNING: Senator, not exactly. The joint doctrine that applies Goldwater-Nichols, you know, gives the commanders flexibility to structure as they see fit to accomplish the mission. But I believe the principle is that the joint commander should have operational control of the forces. The services still retain command (less OPCON ?) -- this includes the, you know, training requirement for the service peculiar forces, and also logistics and administration. So you do not burden down that war fighter with those type of responsibilities. But you do give him the ability to directly go into those forces that he has and direct them to do the kind of things that Goldwater-Nichols let us do -- which is structure themselves and conduct themselves as he directs in order to accomplish the mission.

SEN. NUNN: Did the combatant commander, General Peay, have authority, clear authority, to be able to designate any person he chose? Could he have designated the joint task force for this job, or was there anything above him that prevented that?

GEN. DOWNING: My understanding of the way all this functions is that he had the authority to do that. I would defer though to the chairman, because I --

SEN. NUNN: General Shali, the same question to you on this. But the other question I would like to ask is: Is this the way -- this command arrangement the way other forces are being operated around the globe? What about Bosnia? What about Korea? What about Europe? What about other places? Was this an aberration in separating force protection so far from the scene, or was this standard operating procedure now?

GEN. SHALIKASHVILI: Let me first say that Goldwater-Nichols makes it clear that the combatant commander must have the full authority, and has the responsibility for all combatant forces in his command, and clearly all our regional CINCs have that authority, including General Peay. Therefore he has the authority in turn to appoint any commander that he sees fit as that commander who has operational control of the forces, and who has force protection responsibility. And there is nothing about -- in either doctrine, directive or innuendo, that would have prevented him from doing it.

General Peay, and the condition with Joint Task Force Southwest Asia is unique in our command arrangements. All other joint task forces are organized essentially along the lines that General Downing stated.

SEN. NUNN: So this was unusual, and is not the way we are operating for instance in Bosnia?

GEN. SHALIKASHVILI: That's correct at this time --

SEN. NUNN: In Bosnia the commander on the scene has force protection responsibilities?

GEN. SHALIKASHVILI: That's correct.

SEN. NUNN: How about in Korea and Europe --

GEN. SHALIKASHVILI: That's correct.

SEN. NUNN: -- and other places? So this --

GEN. SHALIKASHVILI: In each case it is different than it was here. Now, the -- when the shutdown of Blackhawk helicopters occurred, I directed all CINCs in the name of the secretary --

SEN. NUNN: That was when northern Iraq --

GEN. SHALIKASHVILI: Yes, right, in northern Iraq. I directed all CINCs in the name of the secretary to reexamine their joint task forces to ensure that we were in compliance with doctrine -- published doctrine -- and were structured and equipped to ensure that missions could be carried out, and that if missions had changed or broadened since the last time the joint task forces were established, that necessary adjustments were made to the joint task forces.

In the case of Joint Task Force Southwest Asia, this was accomplished in great detail, and General Peay's point was that he -- he wanted to remain organized as he was, because of the unique nature of his operations compared to other things -- that is, the great geographic separation. And his -- the necessity of his command to be able to transition from peace to war very rapidly, because we could never tell at what point Saddam Hussein would begin to move against Iraq again. It's very different than with other task forces that we have.

SEN. NUNN: Looking back on it, was General Peay correct, or was General Downing correct in his assessment that it should have been an on-the-scene commander having responsibility -- operation responsibility for force protection? How do you assess it now looking back on it?

GEN. SHALIKASHVILI: Because I -- I was not satisfied after we looked at it the first time, on two separate occasions I sent a team from my staff to go back and investigate how the joint task force was operating. I did that in 1995, and I did this again in the spring of '96. Each time the teams came back and said that while he is not -- while he has organized himself slightly different than doctrine recommends, he is able and is in fact conducting his missions extraordinarily well.

SEN. NUNN: But in this case, on this particular point, getting away from the general statement, who was correct looking back on it? I know this is retroactively, but who was correct: General Downing in his recommendation that force protection be on the scene, or General Peay in his recommendation that because of the uniqueness it would be

removed from the scene?

GEN. SHALIKASHVILI: It is my belief that General Downing is right that in light of the force protection threat that we now -- the force protection that we now have in the region particularly, that we should give one man forward deployed the responsibility and the full authority to handle force protection. And so we have directed that command, Joint Task Force Southwest Asia, be given full authority and responsibility for all combatant forces assigned to his command in support of Operation Southern Watch.

But that's not the only point that General Downing makes. General Downing also says that all forces -- all forces, including combatant and non-combatant -- should be under a single commander for force protection. To do that will require quite an extensive headquarters, and there's a balance between increasing our presence over there with another large headquarters, or leaving it as we have it now. And that's why in my statement I said we're investigating the feasibility of establishing such a headquarters in Saudi Arabia, and the advisability, because there will be potentially a price to pay for it.

But if we can, I happen to be of the view we will be best served if we can have that kind of a robust headquarters forward that could provide force protection for all forces -- not just combatant forces, but the non-combatant forces there as well, like OPM Sang (ph) and U.S. Mittum (ph).

SEN. NUNN: So you've taken action on the combatant forces, but you are studying the non-combatant?

GEN. SHALIKASHVILI: That's right. Because I have to do something different in an area forward in order to do that.

SEN. NUNN: My time is expired. Thank you.

SEN. THURMOND: Senator Warner?

SEN. WARNER: Mr. Chairman and others, I associate myself with all expressions today of sympathy and sorrow for the victims and their families. And, General Downing, may I say to you well done. It's not easy for a military professional, be he active or retired, to issue a report of this nature. It appears to have been done thoroughly, objectively, and fairly. And it's a commendation to you personally -- and those who have worked with you.

And Mr. Secretary and General Shali, in your forthright statements of accountability today, I hope that will be followed in a similar fashion by all those who feel accountable subordinate to you -- right down the chain -- so that we know a full and complete story on the issue of accountability.

I'd like to go to the year 1983. I remember so well our distinguished chairman, John Tower, went to Beirut and the area of the airport to see the bombing of the Marines. I was privileged to accompany him on that trip. And I refer back now to a New York Times editorial today entitled, "Pentagon (Negligence ?)" -- which I shall put in the record. And the last paragraph: "IT should not have taken another truck bombing to get the attention of the Pentagon. More American servicemen -- 265 -- have been killed in three terrorist attacks in the Middle East since 1982 than have died over the same period in combat operations worldwide, including Grenada, Panama, Somalia, and the Persian Gulf War." That's an absolutely astounding statistic.

And I go then to the Long report. I knew Admiral Long very well -- worked with him when I was in the Department of Defense. I would like to read part of the report issued. The terrorist attack was October 23, 1983. The report was issued 20 December '83. On page six and seven: "The Long Commission found that the security measures in effect in the Marine amphibious unit compound were neither commensurate with the increasing level of threat confronting the Marines, nor sufficient to preclude catastrophic losses, such as those suffered on the morning of 23 October." That the USCINCEUR" -- that was the (chop chain ?) up at that time -- "operational chain of command shares in the responsibility for the events of 23 October '83."

Page 130: "The Long Commission basically concluded that the threat was severely underestimated."

Page 132: "Terrorism is a threat to all U.S. forces and all military personnel assigned overseas can expect to encounter terrorism in some form. Consequently they need some understanding of the terrorist threat and how to combat it."

Page 15: "The commission concluded that the Marines were not trained, organized, staffed or supported to deal effectively with the terrorist threat in Lebanon. The commission further concludes that much needs to be done to prepare U.S. military forces to defend against and counter terrorism."

Lastly, "The commission recommended that the secretary of defense direct development of doctrine, planning, organization, force structure, education and training necessary to defend against another -- counterterrorism." And that last paragraph is what you have done recently and informed the committee today -- am I not correct?

GEN. DOWNING: That is correct, Senator Warner.

SEN. WARNER: Now, my concern is we have the Long Report in '83, we have this tragedy here in '96. How do we know if a future secretary five years hence won't sit here and say that the report that was issued by Secretary Perry and General Shali was not followed? What assurance can you give us that you and your successors will follow the report that you have submitted to this committee?

SEC. PERRY: That's a very good question, Senator Warner. I would answer that two ways. First of all, I am confident that some future secretary of defense will be sitting here and trying to explain why some terrorist attack has succeeded against our force. We will not have a zero-defect system. There will be attacks that will succeed against our force, no matter what we do. Having said that, to get to the heart of your question then, the key part of the changes that we are making

(Brief audio break.)

have in this area. And I thought that your comment to the question asked by my colleague from Virginia was right on point. There are going to be in the future people sitting here answering questions from people like me, and we are in a very dangerous world. And I know both of you so well, and I have seen you with troops. I know that you are hurting as much as anyone right now with regard to searching what you might have done to prevent this. The facts of the matter are we have got to be more vigilant than ever. But the facts of the matter are still that these things are going to happen in the future.

With that regard, let me ask you, Mr. Secretary, because I brought it up at one of our earliest meetings after this latest tragedy, with regard to dependents. I happen to feel that if there has been a shortcoming for a long, long time with regard to dependents in areas where we face unusual danger, I believe since our discussion -- you may remember -- you have taken action -- I read in the press about it -- it wasn't given much attention. But have you significantly changed the number of dependents that were just like the people serving? What have you done about that, and has there been a

significant change?

SEC. PERRY: Senator Exon, there has been a very significant change, and I might say a very painful change -- a change that I made against the advice, and even the pleading, of some of my commanders in the field, and some of my diplomatic representatives in the field. Nevertheless, it was a change which I thought was necessary. Nearly all of the families and all of the schoolchildren who were in Saudi Arabia have been moved back to the United States. I can assure you that was a very difficult decision made against -- in the face of quite a bit of contrary advice.

SEN. EXON: I could tell that you were under some pressure when I asked you that question why it wasn't done. I congratulate you for doing it. That took some courage also.

General, I want to add my statements by others to the very --

SEC. PERRY: Excuse me, Senator Exon, let me just for a moment give you the criteria we use for who stayed and who went.

SEN. EXON: Yes.

SEC. PERRY: The -- relatively few people whose missions required them on multi-year assignments -- we allowed their families to stay with them. But we are changing it so that nearly all of the assignments over there will be one year or less, and those will be unaccompanied tours. And so that meant that a great majority -- maybe 90 percent of the dependents -- were then sent home.

SEN. EXON: Well, I think we have -- I'm glad we're taking a look at that. As a soldier who was away from my family for two whole years, I recognize that's a difficult sacrifice. But those are what we expect of our people today. And I think now that you have made the suggestion they will understand too. General, let me once again thank you for the good job you've done. I know it hasn't been easy.

Let me ask you this question: In your review of the situation over there, were there any instances where you discovered or were concerned about the protection of our forces there being hobbled in any way by lack of adequate funds or budgeting?

GEN. DOWNING: We actually, senator, found no instances where we were hobbled by lack of funds. There were times when we found that people had the perception that they were hobbled by lack of funds; but

when we went back and actually looked at the requests that had gone in -- with I think one exception every request for security type things had been granted. And but some people had the perception that these monies were not available.

SEN. EXON: But their perceptions were incorrect?

GEN. DOWNING: Their perceptions were incorrect.

SEN. EXON: This is -- I was to digress to just something else that is very important right now, Mr. Secretary -- it's not directly related to the subject of this hearing, but I think it's timely. As you know, the New York Times carried a story yesterday based on declassified information from the 1950s indicating that the Eisenhower administration knew that North Korea had failed to turn over some 900 American prisoners of war. Do you have any comment on that, or have you had a chance to take a look at it?

SEC. PERRY: General Shali, do you know anything about that?

GEN. SHALIKASHVILI: No, I do not, other than that article.

SEC. PERRY: All I can say is that we have been investigating for years whether there might be any living Americans -- POWs in North Korea. We have no evidence to support that. We know that there have been deserters -- American deserters from the Korean War who went to North Korea, and some of them whom are still alive. But in spite of years of investigation over many administrations and many secretaries of defense and chairmen, we have found no evidence of living American POWs in North Korea.

SEN. EXON: Thank you, Mr. Secretary. Mr. Chairman, my time is up.

SEN. THURMOND: Senator Cohen.

SEN. COHEN: Thank you very much, Mr. Chairman. Mr. Secretary, and General Shali and General Downing, comparisons are said to be odious most of the time, but we have learned that sometimes they're also quite relevant. As Senator Warner has indicated, the Long Commission report provided some comparison for where we were then and where we are today. I was thinking of another example or comparison. We are currently still trying to determine whether or not a TWA flight leaving Kennedy Airport was destroyed by a bomb, a missile or some sort of mechanical failure.

But I want to go back to 1974. There was another TWA flight that left Tel Aviv on its way to JFK, with stopovers in Athens and Rome. And the flight left Israel, landed in Athens, and then left Athens on its way to Rome. At about 18 minutes after taking off from Athens it exploded in midair, killing some 79 passengers and another nine crew members. And the National Transportation Safety Board conducted an investigation, came to the conclusion that in fact it was a bomb that had caused the -- probably caused the explosion; had recommended expeditious development of explosive detection equipment be developed and deployed as quickly as possible. That was in 1974. Twenty-two years later we still have not deployed bomb detection equipment.

It seems to me it is not -- it is relevant in the sense that we created -- this committee was very instrumental in creating a special operations command -- SOLIC -- as far as also creating the Department of Defense, a Special Operations Low-Intensity Conflict Department Assistant Secretary for it. It came, I might say, over the objections of the Pentagon at the time. There was strong objection coming from the Pentagon to the creation of such a special command, giving that command the kind of authority that we felt was necessary, and ultimately we prevailed. There was strong opposition to Goldwater-Nichols. Ultimately we prevailed on that regard, and we either call it macromanagement or micromanagement, but, nonetheless, Congress played an important role in that. And it seemed that it's difficult to overcome institutional opposition in key areas of our operations.

I mention that because one of the key components for creating the special operations command was the new emerging threat -- we had gone from the Cold War threat to what we were told at that time the new threat is going to be terrorism -- global terrorism heading our way -- either at our bases abroad or here even domestically at home. And so we have heard report after report that the new threat, emerging threat, is terrorism, and so I am somewhat surprised -- not surprised, perhaps, Mr. Secretary, but you used the word we have to radically rethink force protection. I mean, I guess the question that comes to mind is why do we have to radically rethink force protection since we have known that radical terrorist action has been the wave of the -- not only the future, but the present and even in the past. And only now we are starting to radically rethink how we go about protecting our forces. And the question that comes to my mind at least is: Is there some sort of institutional opposition to this that remains? Is there some reason why there was not a more aggressive mind-set at least that force protection is as important as force projection? Particularly in an area that is the hotbed of terrorism. We talked about terrorism -- what are we talking about? We are talking about

the Middle East. We are talking about Iran and Iraq and Libya, et cetera. So why does it come as any kind of a surprise that we are seeing the results of a terrorist action directed toward U.S. forces?

Mr. Secretary, you indicated this was a hundred times more powerful, I think, than the bomb that exploded in November? I believe General Downing, you indicated that it was much smaller -- a 280-pound also would have inflicted much -- a great deal of damage. And I don't think it's -- we want to get into the whole question of whether it's 280 pounds or 5,000 pounds or 2,000 pounds, but I have at least a problem in terms of whether there's an institutional opposition to this kind of protective measure being taken.

Initially I would point out some of the press reports, American press reports, indicated that according to the Pentagon it was the Saudi government that was in opposition to a request for expanded perimeters. General Downing, you've indicated in your report there was no such -- you could find no such requests having been made. So I guess, Mr. Secretary, the question I would ask is has there been any attempt to track down where these reports came from? Has it caused problems with the Saudi government first pointing the finger at them, saying they are the ones who didn't give us the permission to expand when in fact it appears that we didn't make the request in the first instance.

SEC. PERRY: I think General Downing's report is the most authoritative description we have of that. The reconciliation between the two accounts is that there was a request made; it was made informally, not in writing, at relatively low levels, and made of civil authorities in Saudi, not military authorities. So everybody who was stating, "Yes, it is" or "No, it wasn't" -- were telling the truth from their own point of view.

SEN. COHEN: Mr. Secretary, we are going to go into a closed session at the conclusion of the open session, and I'll just talk in general terms perhaps about intelligence matters. The question I would have -- we talk about the numbers of threats that were received. But was there any overall -- either you, General Downing, Secretary Perry or General Shali -- was there any overall assessment as to whether these threats that were made toward the United States forces there, or observations that caused people to suspect that something might be up -- the nature of a threatening movement, spying on the facility, cars driving up, taking notes, et cetera? Were any of the threat assessments of such compelling evidence that would warrant reaction to that, either individually or collectively? In other

words, were there simply loose strands of information coming in that were not collated or collected or disseminated? What has happened? What did in fact happen with the threats that were passed along so that there could be a reaction on the part of the commanders?

SEC. PERRY: The threat assessment for the entire Saudi Arabia area was high. That is, the message to the field was that this was a high threat area. Specifically it was known that it was high at Khobar Tower, because some specific suspicious incident that occurred there. Certainly they were known to the command, because they were reported to us by the commander.

SEN. COHEN: I guess what I am asking is was there a point -- was there a critical mass of information that developed? If you could take one incident -- a car drives by, they use binoculars and start surveilling the facility -- that might not be sufficient to warrant any kind of a large reaction on our part, security measures. But then you have a second, and a third, and a fourth, and a fifth, and a sixth. Is there some critical mass at some point in time where you believe we should have reacted more quickly and didn't take action, General Downing, looking at it in hindsight?

GEN. DOWNING: The assessment that we discovered of course after OPM Sang (ph), you know, everyone -- that was the wake-up call. There was a lot of different information out there, a lot of different levels, a lot of it had threats, a lot of it did not. There were several search periods when all of a sudden attention was focused.

We got reports -- a string of reports -- different kinds of reports about large amounts of explosives being smuggled into the kingdom -- and we are talking about tons. We are not talking about pounds; we are talking about tons. A Saudi citizen was arrested on the Kuwait border with about 75 or 80 pounds of high-grade military explosives professionally secreted in his car. Everything got hot then.

Then the Haj period came -- the Islamic pilgrimage period in April and May. And this was another place where in the past they have had some very serious incidents at the holy places, and so the entire kingdom was on a very, very high alert to include the U.S. forces. After that was over in May, things started to ease, and then with very short notice we got the report, notified by the Saudi government that they were going to behead the four people involved in the Riyadh bombing. Immediately everyone, because of the threats that had been coming out of the dissident groups in London and in other places had said if this happens we are going to attack -- we are going to attack

the U.S. forces. Immediately everybody went on another very, very heightened alert period. And we were just starting to come off that period on the 25th of June when the event took place. So what we didn't have though was the point I made in my opening statement: we did not have that tactical intelligence that says there is going to be a bomb on Khobar Tower on this night. But what we did know was that there was a lot of information out there, and we had three soft targets identified on the peninsula, and Khobar Tower was one of them.

SEN. COHEN: Thank you, my time is up.

SEN. EXON: (?) Thank you very much, Senator Cohen. Senator Glenn. In the order of arrival, indicates that you were there, senator.

SEN. GLENN: I think we have a tendency, gentlemen, that we want to find somebody that is going to be a scapegoat for some of this, and I don't think that's the way to be going. We are not going to have 100 percent security anywhere we go in the world, unless we hunker down someplace and just don't do anything -- don't perform our mission while we are there. We are going to be vulnerable to some extent, I believe. This time it happened to be an apartment building. We got a lot of people killed, and we regret that as much as anybody has ever regretted anything. If it is not apartment buildings, one of these days we'll have buses blowing up with Americans on it, cars targeted with Americans in it, individuals shot -- going clear back to '46 in China -- going to shoot a Marine a day until we got out of China. Well, we stayed there. But they carried it out. The first couple of days there was a Marine shot each day. This stuff is not just at buildings; it is not just big bombs; it is not just fertilizer bombs or whatever else they can put together.

And it's not just bombs, because they could use mortars, they can use gas, they can use biological warfare one of these days. What if the berm had been out there 200 yards away and we dumped some canisters of anthrax or something over the thing and let them drift into the site in there? How many people would have been killed from that? I don't know. We tend to go for the -- whatever the last emergency was. One of these days we'll have some Stingers fired at airplanes over there. We'll shoot down some transport planes probably with Stingers on them. How are we going to protect against that kind of stuff?

And I don't really know the answer -- neither does anyone else of course on all this kind of stuff; but I know we -- I know you're getting new authorities and policies and directions, and supposedly --

and we say, Oh, yes, that's very good, but I don't know how the policies relate to, say, fertilizer bombs or how they relate to mortars or gas or biological. How's -- if you're a commander out there, you just have to take your best judgment at the moment, and hopefully you have the funds and the detection and the best technology.

And I come back, Mr. Secretary, on page 15 of your statement you say that you -- "On August 23rd I requested additional funding for fiscal '96 and '97 force protection and anti-terrorism requirements in Saudi Arabia and around the world." How much was the request, who was it made to? Does this committee need to take a more immediate action on that before we are out of session one of these days? Or where does that stand? Because to me it didn't -- we can put forth all the directives in the world, but unless those people out there that are on the firing line in effect have the equipment and have the intelligence -- and that's a key element Senator Cohen mentioned a moment ago -- if we don't have the best intelligence in the world trying to figure out who is doing this stuff, I think we are going to continue to see it at some level, whether it's buses or individuals or cars, or whatever it is -- or Stingers. What's the status of your request for additional funds so that we can really honestly do some of this stuff?

SEC. PERRY: Two comments, Senator Glenn. First of all, thank you for your support on providing those additional funds. I do not need the help of the Senate at this time because I have the authority under the Feed and Forage Act to take immediate actions that are necessary for force protection, and that is what I have done. But that act requires me to come to the Senate in due time and request a supplemental appropriations. There is no need to do that between -- in this term.

SEN. GLENN: The reason I brought that up -- I just read the last sentence -- the sentence before that, on page 15, says, "For example, on August 9th, after the Khobar Towers attack Deputy Secretary White invoked the Food and Forage authority to pay for moving our forces in Saudi Arabia and improving security." Then the next sentence which I read to you. What kind of operation is this we have got to go back in to get money to move people out, we have to go to Food and Forage? Is that normal -- that's not a normal source of funding for moving troops around, is it?

SEC. PERRY: It will become a normal source of funding, because in due time, under that act, we have to come to the Congress and get authority to do that, and it would have to come from supplemental appropriation or reprogramming. And we will do that. We just felt it

was not necessary to do it this month when you have so many other things on your plate.

SEN. GLENN: The Saudis were supposedly responsible for security outside the fence. The commander of the 4404th was for security inside the fence. All this depends a lot though on intelligence. And, General Downing, did you look into the intelligence setup over there? Is it adequate -- I know it's never adequate, because we always like more information on what our potential adversaries are going to do. But where do we stand with that, and are we improving that situation?

GEN. DOWNING: Senator, the intelligence was sufficient to provide warnings certainly. The intelligence apparatus that the commander of the 4404th Wing had under his control was oriented almost entirely on flying air operations into the box in southern Iraq. And we've got to remember that's what those forces were over there for. They weren't over there to defend their perimeter -- that became an inherent part of it. But when they went over there, there was no terrorist threat. So their orientation has always been on flying those air operations. The terrorist threat then came up. There was not any kind of an adjustment. He still had the right kind of intel apparatus to do his air missions, but what he didn't have was the kind of dedicated support and analysis that he needed to help him with that ground threat, with that terrorist threat. And so he was forced to get this in an ad hoc manner from a variety of different sources. He only had a handful of people, and they weren't oriented towards a ground threat. So he's got people telling him stuff direct. He's got people coming from other places in the intelligence agency telling him the kind of things he needed to know. But he did not have the apparatus that he needed to really do this, as he would have, say, in an Army brigade or a Marine Corps regiment, where you've got those things organic to those formations, and they are oriented towards ground-type threats.

SEN. GLENN: I don't know how much more time I have here, but I would just say -- how are we doing with regard to technology and sensors and protectors and that sort of thing? Are we going to have enough money to get the best out there so we get the best protection for all of our troops?

SEC. PERRY: We have -- I don't have any concerns about providing funding for R&D programs that are promising -- and there are a good many of those. But some of the things you would most like to be able to do -- like the really reliable low-cost hand-held bomb sniffer --

is a pretty damn tough problem. We know it can be done, because dogs do it. We have not yet figured out how to reproduce in machines what it is that the dog -- in a practical machine -- what it is that the dogs do.

But to the extent we can identify promising approaches to this, we can make the funds available to do it.

SEN. GLENN: The thing -- if we are getting into chemicals and things like that, general, do all of our troops out there have -- and are they fully trained with regard to gas and chemical warfare? Do they have that with them all the time in case there is an attack like that?

GEN. SHALIKASHVILI: I think that we certainly need to look at whether units that are not routinely combat units, that in fact have good protection -- but the administrative units and others that are forward deployed now in this environment, whether they also have the adequate training, the various sensors that they need to have and so. So I would tell you probably the picture right now is spotty on that and we need to fix that.

I feel fairly comfortable about the ground and other combat units that are more attuned to operating in that environment and training in that environment. I'm not so sanguine at all about the support units. But they now also find themselves on the front line, because the front line is wherever they are now.

SEN. GLENN: Wherever they are. My time is up. Thank you, gentlemen.

SEN. EXON: (?) Senator McCain.

SEN. MCCAIN: General Shalikashvili, we haven't got much time left in this session here before we go out into the election season. I'd like to ask a couple of questions on an unrelated topic that is important to certainly the people of my state and I think most Americans. In December will we have completed our mission in Bosnia?

GEN. SHALIKASHVILI: I believe, sir, that in December we will have completed the military tasks that are outlined in the Dayton agreement. And it has been my recommendation all along that at that time we bring our soldiers back from IFOR. What is now being discussed is the issue whether NATO would feel that there is a follow-on military mission different than the one now, for which a different military force should be put together and sent over there.

I don't know the answer to that. I am fairly certain that the

United States will participate in that debate, but I don't know how this will come out. All I can tell you is what I recommended all along, that IFOR, constituted as it is, with the missions it has, believe can terminate, and should terminate, in December.

SEN. MCCAIN: Well, in all due respect, general, when we had a hearing last December, and many of us alleged that an exit strategy was not a date certain, when you and Secretary Perry said that the troops would be coming home after 12 months, there was no one who was left with the impression that there would be some kind of residual force. Now, that's what's unfortunate about this whole scenario, because you and Secretary Perry -- and I certainly want Secretary Perry to respond if he wants to -- gave the clear impression that our mission -- our mission -- and most Americans view when a mission is done the troops come home, and no further troops are required, that we would have no more obligations in Bosnia. Now, that's clearly not the case. We all know that after the election that the president of the United States, upon your recommendation, will come forward and say we have to have another force in the region, because the Europeans have already stated clearly and unequivocally that they can't or won't do it themselves.

Now, that stands in direct contrast to your comments on December 6, 1995. Quote, "There is no doubt that by the time we leave in 12 months our mission will be completed." Quote " "Twelve months is the right time set to bring the forces home." "To bring the forces home" -- not "but we may have to leave forces there" -- "to bring the forces home." You didn't say IFOR -- the forces.

And what disturbs me is this lack of candor with the Congress -- which, by the way, has characterized the whole lack of consultation over the situation in the Persian Gulf -- leads to skepticism and then mistrust. Secretary Perry said on December 6th: "I was the one that recommended to the president that this be a 12-month mission. I cannot conceive how the military tasks that have been given to us can possibly take longer than 12 months." Quote: "I firmly believe that in approximately 12 months this force can withdraw." There was no mention, in response to repeated questioning at that hearing -- "Well, we may have to have another force there for an indefinite period of time." So I have to tell you perhaps I and other members of this committee were not very comprehending of what you said, but when reading the English language we were under the impression, despite our protestations to the contrary -- at least some of us -- that you couldn't set an exit date and call that a strategy, that we are clearly not going to have, quote, "forces home," you may change the

name, you may change them to some other alphabet soup name. But the fact is that they are going to be there, and it's going to be very disappointing. And I have to tell you when you come back here for additional authorization and appropriations, because there will be several more billion dollars probably at risk, there will be a much larger level of skepticism when you -- as to whatever commitments you make at the time. I will be glad to hear the response of either your or Secretary Perry.

GEN. SHALIKASHVILI: When we were discussing IFOR prior to its deployment in December, it was my clear understanding that we were deploying that force to execute the missions very narrowly described in the Dayton agreement. And people were questioning whether the military tasks outlined in the Dayton agreement could in fact be completed in one year. Although I don't remember my exact words, I do believe that I repeatedly stated that I thought that the military tasks outlined in the Dayton agreement could be completed in less than a year, but that we ought to stay throughout the elections, and for good measure a year, to make sure that everything was done, and that at the end of that, that mission and that force that had that mission, could be brought home. I am still of that view.

SEN. MCCAIN: But at no time, general, did you or Secretary Perry in any way intimate that there would be an additional requirement for American forces, many of them the same people maybe under a different name, to remain there in harm's way in Bosnia. Now, I -- I can tell you that that is what we were concerned about, and unfortunately I think it's very clear that's not going to happen. It's very clear in January you are going to be back here, and we're going to be talking about some force that must remain there because the Europeans failed to do their job, even though those same Europeans failed to support us in the Persian Gulf. And to say, by the way, that -- well, I won't go into that.

I would ask, Mr. Secretary, in retrospect did we do everything that we could as far as the inspection of facilities in Saudi Arabia that would have helped us either preclude or make better preparations for the attack on Khobar Towers?

SEC. PERRY: In my opinion, Senator McCain, they were quite adequate inspections. We had two different inspection teams there. They wrote extensive surveys and made extensive recommendations. It's also true that nearly all of those recommendations have been implemented by the time of the bombing. It is also clear that those recommendations did not go far enough, given the threats we actually have.

SEN. MCCAIN: Thank you very much, Mr. Secretary, my time is expired.

SEN. EXON: (?) Before calling on Senator Lieberman, just would you care to comment, Secretary Perry, in response to what Senator McCain has indicated about the troop withdrawal and the deployment?

SEC. PERRY: Yes, I would. First of all, on the question of completion of the IFOR mission, I associate myself almost word for word with what General Shali said, and I think any reading of the full testimony we gave there would say that the 12-month mission we were talking about was the mission to complete the Dayton -- the military tasks in the Dayton agreement. That is being done on schedule, and will be completed by the end of the year. If I had any questions about that, it was whether there might be some major altercation occurring -- if the elections -- we are now past the elections, so I have some confidence in saying now that that mission will be completed by the end of the year.

The second point I would make is that I do not accept the presumption that Senator McCain makes that we are going back with a second mission in January. That is an issue which will be discussed and debated, seriously beginning at the NATO Defense Ministers meeting next week. The outcome of that discussion is not at all clear, and I have neither a open or covert conclusion on that question yet, and I wanted to see what the -- how the analysis goes, what the facts on the ground are. I think that sending an American unit back in there next year will pose a very substantial problem, not the least for which the reasons given by Senator McCain.

SEN. COHEN: Senator Lieberman.

SEN. LIEBERMAN: Thank you, Senator Cohen. Secretary Perry and General Shali, it has been an honor for me to get to know you on my time on this committee when you've been in your positions of leadership. And I think you know that I have the greatest respect for you. And I think I have some sense of you as human beings beyond the titles. And I am sure that this experience at Khobar Towers was one of the most painful, if not the most painful, moment in your time of leadership.

And I appreciate and admire what I would call the sense of responsibility and courage that you demonstrated in appointing General Downing and giving him a charter to go ahead without limit to do the

investigation he has done. I must say that I find his conclusions to be deeply troubling, and of course ultimately heart-breaking, because the result of this episode was the death of 19 American servicemen. General Downing, you have said in your statement, and I quote, "In a far-reaching charter, the secretary of defense directed me to assess the extent to which the casualties and damage sustained were the result of inadequate security policies, infrastructures or systems." My conclusion, having read your very thorough and thoughtful, and I think balanced, report, is that you conclude that to some significant degree the casualties and damage sustained were the result of inadequate security policies, infrastructures or systems. Am I correct?

GEN. DOWNING: That's correct, senator.

SEN. LIEBERMAN: Secretary Perry, you have -- I mean, I -- I am sad to say that I read General Downing's report as a finding of a kind of negligence in various ways. And again, acknowledging that hindsight is always clearer than foresight, and that we will never be able to do enough to protect, as Senator Glenn has said, against every possible terrorist action, it does seem to me -- and I think in a way you said it in response to an earlier question, a lot was done, but not enough was done. I want you to just, if you would, set out what the -- and let me step back and say that in other words if someone is to blame here for these inadequacies that General Downing has found, and I just for the information of the committee and the families of those who died and the American people, if you would indicate for the record what is the process of military justice that is convened in this case? Obviously I'm not expecting any comments or references to any particular individuals, but what is the process that you set in shape -- in place here now?

SEC. PERRY: I have requested the secretary of the Air Force to conduct a full investigation and recommend and take the necessary disciplinary actions. The Air Force has convened an authority to do that. That is underway, and they will have their findings completed by the 4th of December.

If there is culpability that requires disciplinary action, there will then be the appropriate disciplinary action to any Air Force personnel under their authority. And if they, in their findings, they believe that any other person outside the Air Force, at any level, is culpable, they should recommend and pass that on to me for further action.

SEN. LIEBERMAN: Thank you. And we'll obviously await with some

interest the results of that proceeding.

General Downing, let me ask you a very different kind of question. At the time -- in the days and weeks after the explosion at Khobar Towers there were suggestions, particularly in the media, that the Saudis, the Saudi government or Saudi personnel, had blocked attempts to improve security at Khobar Towers. I read your report to say that those accusations were not fair. Is that correct?

GEN. DOWNING: That's correct, senator. They were -- we did not find those to be founded.

SEN. LIEBERMAN: So that in the sense that you did not find that American personnel there had made requests of the Saudi government for increases in, for instance the perimeter around Khobar that were rejected by the Saudis?

GEN. DOWNING: We found that they did ask to move the fence. They asked at a lower level. But they only asked to move it 10 or 15 feet. It did not have anything to do with stand-off distance from blast. It was -- they asked to move it for observation purposes. They asked for increased security and they got increased security. They saw the increase in Saudi patrols in the parking lot. So -- and then this was done at the staff level --

SEN. LIEBERMAN: Right.

GEN. DOWNING: -- and at the lieutenant colonel and colonel level. But what we did not find is any serious misgivings that our forces had in Dhahran about Saudi security ever raised to them at the senior level, at the counterpart level out there in the eastern province.

SEN. LIEBERMAN: I appreciate that statement, because in fairness to our allies in Saudi Arabia, I think they were getting criticized for shortcomings or blocking attempts by us to improve security.

A number of my colleagues on the committee have raised this very important question that you raised, general, about the extent to which the command of this joint task force was not unified, and some sections of it, the service sections, were actually reporting back or were under the command of people 7,000 miles away. The reference points that have been made on the committee are to Beirut; but, as you say in your report, you could also go back to the tragic shootdown of the two U.S. Army helicopters by U.S. Air Force F-15s in April of '94, in which the joint task force headquarters -- well, in which the

question was raised by the joint task force Provide Comfort about the extent to which the lack of unified command may have contributed to that tragedy.

Secretary Perry and General Shali have indicated today that in this case, which was described as somewhat unique because of this particular joint task force, they have now unified under the commander there matters of force protection, but not as I believe you recommended in your report, overall operations of the joint task force. Secretary Perry began to explain why. I wonder if you could make for us the argument that you -- why you believe all operations should be unified there under the joint task force commander?

GEN. DOWNING: Senator, basically I think the man forward in the forward location that is physically living there, sleeping, eating, being subjected to the same threat as everyone else -- I just think he has a better intrinsic feel -- inherent feel for what's going on, and will do those kind of things that have to be done to protect the force.

Certainly the commanders of Air Force Central Command and Army Central Command are magnificent officers. I mean, they are first class -- both of them. But the fact is they are 7,000 miles away. They can't get there all the time. They can't live there all the time. And I think Goldwater-Nichols gave us the authority to do the kind of command arrangements that need to be done. And of course the chairman has told us that -- you know, he has taken this thing in steps. He's transferred the operational control for force protection out there to the JTF, but the component command still retains operational control of all the other elements. But he's told us that he's looking -- he's directing Central Command to look at that and see if we should not put some kind of a headquarters out there resourced to take on the full operational control mission.

SEN. LIEBERMAN: Which is what you would recommend?

GEN. DOWNING: That is what I would recommend, yes, sir.

SEN. LIEBERMAN: Thank you, general. Thank you, Mr. Chairman.

SEN. THURMOND: Senator Hutchison.

SEN. HUTCHISON: Thank you, Mr. Chairman. I want to say first of all how much I respect this report and I respect the fact that you, Mr. Secretary, were willing to say to General Downing clearly, you have your head, and I want the truth, and he did -- a straightforward

report. That was very tough, and I appreciate it. And I have to say in the last two reports from the Department of Defense, this one plus the Air Force investigation of Secretary Ron Brown's plane going down -- that too was very straightforward, pulled no punches, and I respect that.

Having said that, I have to say the report is devastating. When I think of the loss of life for what I would hope would be something that is avoidable, it is devastating. I want to focus on one thing, because I hope there has been a change since this report has come. And I am going to quote from the testimony of you, Secretary Perry, and General Peay, in the investigation, the first one that we had after this bombing. Senator Levin had asked a question regarding the mid-level colonel who had evidence that perhaps we had a problem and should move the perimeter out. General Peay said, "Should the fence have been out further? Yes. Were they working on it? I think they probably were. Should they have kicked it upstairs? I don't know. I just don't know." Senator Levin says, "What is clear is that they did not kick it upstairs." That is what we have heard from each of the three of you this morning.

Senator Lieberman came in and made a valiant effort at asking General Peay if perhaps he would reconsider: "General Peay, your comment about whether that officer on the ground who had the conversation with his Saudi counterpart about extending the perimeter to the 400 feet should have kicked it upstairs, it seems to me -- and your statement, you're not really sure.

"I think we've got to create a record here that sends an unmistakable measure, in spite of all that is going on in a theater like this that security force protection is so important that once we have designated the security level, the threat level as high, that any question as fundamental as this one, of extending the perimeter, has got to be picked up almost immediately. It's as if there was a bomb ticking here, and we could have done something. And we had one bright officer on the ground who understood that he could have done something to limit any casualties here, and it was not done.

"I want to ask you" -- to General Peay -- "if you would reconsider that question -- reconsider your statement about whether in fact that officer should have kicked this upstairs?"

General Peay: Sir, that is a great question. You are into the guts of what we call the art of command. I think we have to have latitude in judgment at every level -- platoon leader, company commander, battalion commander -- all the way up the chain of command.

I do not think we can necessarily legislate that it should be kicked up. I guess I'm trying, sir, to point out that this is a competent chain of command that encourages openness. I don't think if I had legislated kick-up an argument at the province level that I think I could come up with another 50. I think we have to teach our youngsters to make those value judgments. Senator Lieberman: "I regret that and say respectfully I think that is exactly the wrong message to send." Senator Lieberman then gave you, Secretary Perry, a chance to make another point with regard to General Peay's point, and you supported General Peay, and Senator Lieberman said respectfully that he did not understand.

I came in as a third member of this committee and said to General Peay, "Would you reconsider that statement?" I'm asking you today if, now that we have this report, if we now have force protection at a level of priority that if this conversation took place today at this colonel level with his Saudi counterpart, do you now have the chain of command and the instructions that he would kick it upstairs immediately?

SEC. PERRY: Yes.

SEN. : Thank you. Thank you, Mr. Chairman.

SEN. THURMOND: Senator Robb.

SEN. ROBB: Thank you, Mr. Chairman.

Secretary Perry, General Shalikashvili, General Downing, thank you very much for your extended appearance here today. I know that both the consideration of this matter and preparation for this hearing and others take a great deal of your time. And it's certainly very important. And I share the respect that all of my colleagues have indicated to you for what you have done.

I must say that I am troubled by an aspect of our hindsight that seems to be so clear with respect to assignment of blame. And in this, I probably differ with many of my colleagues, not that we should not indeed hold those who make mistakes in judgment or make other mistakes accountable. And indeed, Mr. Secretary and General Shalikashvili, I very much appreciate your acceptance of responsibility and accountability in this process. I think that's extremely important.

But I'm a little bit concerned about the assignment of blame, if

we want to call it that. It's been used to someone other than those who carried out this terrorist attack and/or ordered this terrorist act to take place. And I hope that we won't come to the conclusion, in the necessary follow-up, General Downing, to your report, that we have to find specific people to blame or scapegoats if, indeed, they are not culpable under the circumstances. And I am not yet convinced that there is a long list of those who are truly culpable and could meet the 20/20 hindsight test.

And in this regard, I have just a couple of questions. One, General Downing, with respect to the criteria that are both explicit and implicit that you apply to this particular situation in terms of providing a very candid and tough report to the secretary of defense and to the chairman of the joint chiefs, are there other units either in this immediate theater, in CENTCOM, or deployed elsewhere around the world, that could or would either meet or fail the same criteria?

In other words, are we post-tragedy applying criteria that other units might equally fail to meet if we applied the criteria in the strict sense that all of us can now sit around with 20/20 hindsight and say, "This was the critical factor that was overlooked or ignored," whatever the case may be?

GEN. DOWNING: I would say, Senator, that probably that is true. There probably are others that would fail those criteria. We visited not only Khobar Towers, but we visited 35 other sites in the region. And the secretary directed me, asked me to concentrate my initial efforts on Saudi Arabia. I spent 11 days in Saudi Arabia at the bases there. I then went to the other bases, high-profile bases in Kuwait, Bahrain, Qatar, United Arab Emirates. And then, because we have such a large concentration of American service people, I went to Egypt. And we did find a string of deficiencies in these places. But I'll also tell you we found some things being done extremely well. And this was not a "gotcha" drill. This was a drill where we went in, looked at them as quickly as we could --

SEN. ROBB: I was not implying that motive to your mission, General.

GEN. DOWNING: No, I understand that, Senator. But the spirit that we took this in was that I sat down with each commander after we had visited his base and went down with a list of things that we had found that we thought he could take action on right away, and then if there were some things with some lead time, that he could get action started to get things going.

Secretary Perry told me, when I left on this thing, that if I had any problems, if I found anything very glaring, to pick up the phone and call him, call him direct, because we were not going to wait six months or six weeks or eight weeks for this report to come out and have --

SEN. ROBB: General Downing, that aspect of what happened is something that I think all of us applaud, the fact that it was thorough and without restrictions or reservations on what you could do under the circumstances. My concern goes to whether or not other bases, other commanders at any level, would necessarily be able to meet the same criteria --

GEN. DOWNING: There were --

SEN. ROBB: -- that are implicit in this particular examination and whether that will be true in the future. Let me ask one other question. With respect to other types of activity, particularly non-fixed bases or assets, for moving assets, targets that are not in a tactical movement mode, i.e., not a rough rider or something that may be moving as though in a combat situation or expecting imminent combat between two points, could the same kinds of criteria subject some subsequent commander to the same difficulty that anyone in the chain of command this time may face with respect to the movement, say, the administrative movement by service personnel between logistics facilities and forward-deployed units at any place within this theater of operations?

GEN. DOWNING: We just didn't look at standoff bombs. We looked at everything. We looked at movement. We looked at the standoff attack, snipers, ambushes, assassinations, surface-to-air missiles. We did not restrict ourself to standoff bomb attacks. We took whatever a terrorist was capable of doing. And, of course, you've also got to take a very good look at what the local threat is. What are you against? Not every terrorist group is the same.

SEN. ROBB: Oh, absolutely, which is --

GEN. DOWNING: So we had to take a look at what they had, what we thought they had, what their capabilities were. And so we applied this against a wide range of threats, not just bombs.

SEN. ROBB: Have all of the units that are deployed, particularly within this very sensitive area of operations, been apprised of any of the shortcomings that may have been found in the course of your deliberations?

GEN. DOWNING: You refer that to General Shali or the secretary.

GEN. SHALIKASHVILI: We certainly have made the report and all of the findings available to Central Command and to all the other unified commanders. I think they probably have not yet had a chance to digest it, put it into a form that needs to go out to all the commands. But they do all have the unvarnished total report.

SEN. ROBB: I would only point out that obviously any time an implementation between the time that they're apprised of some shortcoming and the possibility of intervention by some force that didn't have our best interests at heart could place us in a similar situation. And again, we have to, it seems to me, apply the standard of reasonableness under the circumstances, and ultimately, because we would be just as tough on you from the other side, come back and apply some cost/benefit in the largest term. There's only so much that you can do without depriving your forces that are deployed of the ability to perform all our other missions. And that's the kind of tradeoff that the secretary very certainly made reference to in his statement, and we appreciate it.

One last single question with a single response: Is there any reason to believe that the Saudis today are not cooperating fully with respect to every request that has been made as far as the security of any of our deployed forces are concerned?

SEC. PERRY: I went there and six weeks ago laid some very heavy requests on them which involve the movement of all of these forces; very difficult and very expensive for them to implement. They agreed to all of them. I've gotten nothing but first-rate cooperation.

Senator Robb, let me make one other point relative to the first issue you were making about the people in this joint task force. We are looking through a very pointed microscope right now at one incident, which was this bombing at Khobar Towers. I would point out to you that joint task force has conducted 120,000 sorties since they've been in operation. They have been engaged by surface-to-air missiles. They have engaged back and fired at them. They've been fired on six times by surface-to-air missiles. These 120,000 sorties have been conducted flawlessly. There's not been a single loss of life in any of that activity. So we're looking at a first-class operation, and we are judging the people who are conducting that. We must keep that front and center.

SEN. ROBB: Thank you, Mr. Secretary. That's a point I've attempted to make in other venues and will continue to make, that we ought to be very proud of the forces and what they're doing there.

Mr. Chairman, that completes my time, and I thank you.

SEN. THURMOND: Senator Coats.

SEN. COATS: Thank you, Mr. Chairman.

General Downing, you indicated that in your investigation you had the full cooperation of all federal agencies in this investigation. Were you able to assess whether or not full cooperation between federal agencies involved in our efforts in Saudi Arabia was taking place before the incident? Was there any indication that there was lack of cooperation or sharing of information?

GEN. DOWNING: No, Senator Coats, I got no indication of that.

SEN. COATS: Secretary Perry, were you aware, or General Shali, were you aware of any breakdown in communication between, say, various federal departments -- Department of State, Department of Defense -- relative to terrorism and terrorist activities, responses that the military might make versus what the State Department might recommend? In other words, were there any instances where the Department of State suggested a response different relative to force protection than what you desired to carry out?

GEN. SHALIKASHVILI: I know that we had different procedures between State and Department of Defense when declaring threat conditions and -- I guess threat conditions, and that as a result of the OPM Sang bombing and the investigation that followed it, that came to the surface in order to correct that. But I do not know of an incident where, in the execution, there was a disagreement that caused any particular problem. General Downing might have found something, but none of those were brought to my attention. What was brought to my attention only was after the OPM Sang bombing, that they are two different procedures and we ought to get all on the same sheet of music.

SEN. COATS: General Downing, would you like to comment on that?

GEN. DOWNING: Right, Senator, there was some of that. I didn't interpret your question as getting into that. There is a seam between DOS -- between Department of State and the Defense Department on how we evaluate threats, threat conditions. It's just two agencies, two

government agencies, coming at it from different ways. One of our recommendations in the report is that we resolve that. And that is something that the Defense Department is taking on. They are trying to do that.

Another one, a very significant provision, was that who was responsibility for the DOD forces out there? And Secretary Perry has -- and he states this in his letter -- has worked this out with the State Department as to how that division is going to be done. So the department -- both departments are addressing --

SEN. COATS: But there's two questions here. One is threat assessment, and you've indicated there is a seam. But the other is response, threat response. And there have been some reports -- there were some reports that, at least in some instances, threat response -- there's a difference of opinion between the two departments as to what the threat response ought to be.

GEN. DOWNING: I can't --

SEN. COATS: And did you --

GEN. DOWNING: I really didn't see that. I saw some very, very concerned people out there, especially in the kingdom of Saudi Arabia; in fact, on all the country teams, tremendous cooperation, very, very professional people. And what I found when I was out there in all these countries that I've listed was probably as good a cooperation as I have ever seen. So I'm not aware of any, but I'll defer to these other two gentlemen.

SEC. PERRY: I will -- there's one area of difference in judgment, Senator Coats. And my judgment was that we had to bring nearly all of our dependents out of Saudi Arabia. The State Department's judgment was -- they said that was not a good move to make, that instead we should work harder to provide better protection for them. So we had a difference of opinion on that. I made the decision to bring them out anyway. And once I made that decision, then they fully supported me in the move -- in what had to be done to implement that decision.

SEN. COATS: Well, I fully support that decision. I'm sure it was a tough decision from a morale standpoint, but I think it was the right decision from a security standpoint. Let me ask you this, Mr. Secretary. Have we evaluated force protection on a domestic level for our bases here at home any differently subsequent now to the situation

in Saudi Arabia? Are we taking different measures or --

SEC. PERRY: The force protection initiative and the force protection measures we're describing here apply to all of our bases, and they certainly apply to domestic as well as overseas bases. How they are implemented will depend in each case on what the threat assessment is for that base. The threat assessment in Saudi Arabia today is not only high; it is listed as critical. There are no bases in the United States where we have that high level of -- that threat assessment. And so that's the difference. It's not whether it's in the United States or overseas. It's what the threat assessment is.

SEN. COATS: Is any review going on, though, of the force protection procedures domestically as a consequence of what we've learned?

SEC. PERRY: The procedures that we're talking about, the changes that we have described to you, apply to all of our bases, domestic and overseas.

SEN. COATS: It was mentioned -- I think it was Senator Lieberman that mentioned the -- asked the question regarding the convening authority. What level will that convening authority take place? Is that at the 4404th command level?

SEC. PERRY: No, that is a completely independent and separate unit. It's a three-star general that is appointed by the secretary of the Air Force. It has nothing to do with the operations over there.

SEN. COATS: So they will be examining the question all the way up and down the chain of command.

SEC. PERRY: They will be examining the question all the way down and all the way up, and not -- and while their actions will be limited to Air Force personnel, their findings are not limited to Air Force personnel. It can include other services as well.

SEN. COATS: Just one last brief question. General Downing indicated that it's important -- the conclusion of his report -- it's important that we demonstrate that we are capable of responding to incidents like this; that the inability to do that invites more attacks. Everything that we've discussed today has been a defensive response. Is there anything you can tell us in open session here relative to an offensive response? Or is that something we ought to reserve for --

SEC. PERRY: I would suggest we reserve that for the closed

session, because all of -- a good offense in this case, which is really essential, depends on improved intelligence.

SEN. COATS: Thank you, Mr. Chairman. My time has expired.

SEN. THURMOND: (Off mike.)

SEN. : Thank you very much, Mr. Chairman.

Mr. Secretary, I want to compliment you, as a number of my colleagues have, in your selection of General Downing and the unfettered authority that you gave him to prepare this report. I think that's a mark of your integrity and reflects very favorably upon your character.

And General Downing, I know it's a difficult job to pass judgment on colleagues, people that you have professionally worked with during your career. And I think you have put together a report that is candid and very thoughtful.

And General Shalikashvili, I have a great deal of confidence in your leadership; continue to enjoy that confidence. I must say that on the occasion of our hearing before this committee on July 12th of this year, it was my sense at the time that there was a failure of command leadership in the field. And after having read the report that General Downing has put together, I believe that that is an inescapable conclusion. I do not know the circumstances, but I regret the fact that General Peay is not here with us today, as he was in July.

But it seems to me that at the time that we had the hearing in July, there was considerable media attention and speculation that there had been some failure on the part of intelligence. I must say that, as you have characterized it, General Downing, there was sufficient intelligence information provided to fairly charge those with the command responsibility of the heightened risk that was involved, particularly at the Khobar Towers location.

It seems to me that part of our responsibility on this committee is also to determine accountability as well. And three rather modest measures may have averted all fatalities and would certainly have reduced the level of casualties; that is, the application of Mylar to the exposed window surfaces; the relocation of personnel in the exposed area to interior locations; and the repositioning of the fence. None of that was done.

In the vulnerability assessment recommendations of January 1996, a recommendation is made that is somewhat prophetic, and that is the application of Mylar to the exposed surfaces. "And if the cost of upgrading all perimeter windows is deemed to be too great, begin with the perimeter faces of Building 133 and 131, then work clockwise around (Cape T?) through to Building 117."

General Shalikashvili, my question to you. Isn't it a failure of command responsibility by our commanders in the field not to implement that recommendation?

GEN. SHALIKASHVILI: I hesitate for a moment in my answer, because I want to make sure that my reply does not complicate the ongoing action by the secretary of the Air Force right now. So let me say that the recommendation that was made by OSI to put Mylar on the windows in this particular case, from where I sit now, makes great sense, and in retrospect, makes even more sense. But I'm afraid to say any more than that.

SEN. : Well, and I appreciate that. I don't want you to make a prejudgment either. But I must say that I think that the American public is entitled to a clear understanding of how little it would have taken to have substantially reduced the risk. I'm not saying avoided all risk, because I agree with Senator Glenn and others who point out that the potential risk one faces with a terrorist threat are unlimited and confined only by the limits of human imagination. But, I mean, this doesn't strike me as being something that is beyond the pale.

The movement of personnel to less vulnerable buildings, addressed indirectly in the earlier vulnerability assessments, I must say that I'm shocked, if I understand the testimony elicited by General Downing, and that is Brigadier General Schwaler testified that he never thought of evacuating these rooms. That suggests to me that there is some fundamental failure to impart, in some way, in field commanders the responsibility of taking all the precautions necessary to protect those in their command. He said he never even thought about it; didn't weigh it or evaluate it. And I am taking that from page 57 of the report, if I inaccurately characterize that. I don't want to be unfair to the officer or to you, General Downing, but that's what the information indicates here, that he never thought of it.

I must say that the request to reposition the fence, which we've heard considerable testimony on, it's my understanding that the only individual that we've been able to identify to have made that request

is a Colonel Boyle (sp), who requested that the fence be moved 10 to 15 feet. Is that a correct statement of the record, General Downing?

GEN. DOWNING: Colonel Boyle requested this in November of 1995 after OPM Sang bombing from his Saudi counterpart. And then Lieutenant Colonel Traister (sp), Jim Traister, in March of 1996 requested that the fence be moved 10 to 15 feet of his Saudi counterpart. And as I think I testified earlier, both Saudi counterparts do not remember this request.

SEN. : But those two different officers then, at one point of time -- and in reading your report, I got the impression that this wasn't a direct request. It was, "Would you be willing to reposition the fence?" Am I correct in that characterization?

GEN. DOWNING: Well, no, I think they wanted to move the fence. I think they were direct about that. But it was not a substantial distance to protect the building from blast. It was to get better observation into the parking lot. It was not 400 or 900 feet, which is what you would have needed for blast protection.

SEN. : I guess my thought is that this is an example of timidity, in my opinion, in terms of requesting a distance that would provide adequate protection. And one does not get the sense, from the language that you've used in the report, that there was any sense of urgency that was attached to the communication with their Saudi counterparts.

GEN. DOWNING: Senator, I don't think we can draw that inference. In other words, I wasn't there. These people did care. And as General Shali pointed out, they did do a lot of things to toughen that perimeter. It's not like they sat on their hands and did nothing. Colonel Jim Traister, Lieutenant Colonel Jim Traister is a real hero. He really did some fantastic security things around Khobar Towers. He did not -- they did not get after the point of protecting from a bomb outside the fence.

SEN. : And if I might ask the secretary this one last question -- my time is up. You've indicated, in response to Senator Lieberman's question about the process of military justice -- and I don't seek to prejudge that process, but you indicated you've asked the secretary of Air Force to make such a review. And my question: At least some of the officers in the chain of command, who in this senator's judgment ought to at least be evaluated in terms of their conduct, are Army general officers. Would she have the ability to

make an evaluation and a recommendation to you in terms of what course of action would need to be taken, if any, with respect to military justice?

SEC. PERRY: Yes, they would.

SEN. : And so there's no attempt to exclude anybody --

SEC. PERRY: That is explicit in their charter.

SEN. : And I thank you, Mr. Secretary. And I thank you, Mr. Chairman.

SEN. THURMOND: Senator Levin.

SEN. LEVIN: Thank you, Mr. Chairman.

Let me commend all of you for your testimony; General, for your report; Mr. Secretary and General Shalikashvili for the direction which you gave that the report be unvarnished. It's all very helpful, including your testimony. I think it's in the greatest tradition of our military and the Department of Defense, what you've attempted to do both in the report and through your testimony today.

I want to pursue Senator Bryan's line of questioning, because I, too, am troubled by the field command's lack of action here. The commanders in the field, the way I read this, had authority to ask for Mylar -- they didn't; had authority to request that the fence be moved, and they didn't. And whether or not someone will later on judge that that in some way makes them responsible in terms of their duties and their obligations is for a different assessment in a different place than here.

But the way I read the Downing report, let me just start off on page 54. There's been some discussion here. But what authority did the commander on the scene have? Should we change some structure in order to give more authority? General, the way I read your report, and I'm quoting, "Brigadier General Schwaler had both command responsibility and command authority for force protection in the 4404th wing. Therefore, he could take appropriate measures to protect his force, had the responsibility to notify his superiors when he was unable to do so." Is that accurate? He had that authority?

GEN. DOWNING: That's correct.

SEN. LEVIN: All right. Now, in addition, on page 55 it's stated that "During his tour of duty, Brigadier General Schwaler never raised

to his superiors force protection matters that were beyond his

capability to correct, nor did he raise the issue of expanding the perimeter security outside of the fence with his Saudi counterparts in the eastern province. The commander did not take actions that could have mitigated the effects of other forms of terrorist attack or secondary effects of a penetrating bomb." Is that from your report?

GEN. DOWNING: (No audible response.)

SEN. LEVIN: All right. Now, part of your report is that there was an assessment that was made here, a vulnerability assessment on the Khobar Towers, which has been referred to by Senator Bryan, first in June of 1995, but this was updated after the Riyadh bombing in -- it was updated in January of 1996. And in that report, there is the following language. I must tell you, I'm fascinated by it and I don't quite -- I want you to help me with this.

"There is a captain there named McLain (sp) who made an assessment based on a much smaller car bomb possibility. And it was" -- now I'm reading from page 56 of your report -- "it was determined that such a bomb, exploding at 165 feet" -- and then you say the actual distance of the June 1996 bombing was 80 feet. "It was determined that such a bomb would damage buildings and kill or injure exposed people. Captain McLain went on to recommend a 300-foot perimeter" --

GEN. DOWNING: Right.

SEN. LEVIN: -- "300-foot perimeter to mitigate the effects of a 200-pound blast. There's no evidence that any action was taken regarding this aspect of the assessment by the commander." Is that correct?

GEN. DOWNING: That's correct.

SEN. LEVIN: You mean, we had a commander on the scene, if I understand what you're saying, who had a recommendation from someone who was responsible to make a vulnerability assessment in January, a specific recommendation that the perimeter be moved out to 300 feet to mitigate the effects of a blast. And for whatever reason -- and this will be judged elsewhere -- but for whatever reason, the commander on the scene did not act on that recommendation. Is that correct?

GEN. DOWNING: Yes, Senator, that is correct.

SEN. LEVIN: Okay. Now, you know, we've had a lot of discussion about whether or not the Saudis should have moved the fence 10 or 15 feet. And our people say we asked them. The Saudis have no notes about it, apparently; no recollection. There's a disagreement about that; I think that's pretty clear. But according to your report, General, unless I misread this, our own assessment, our own vulnerability assessment in January of '96, had a Captain McLain, who was in charge of the explosive ordnance detachment, recommending a 300-foot perimeter and the commander taking no action based on that recommendation. And my specific question to you is, did our commander have authority to take some action based on that recommendation? For instance, could he have asked his command to take up the issue of the perimeter fence with the Saudis, or could he have taken some action based on that recommendation?

GEN. DOWNING: Senator, the answer is he had the authority and responsibility. In other words, the issue we've been talking about with operational control of these forces is at a much higher level than the commander of the 4404th wing.

SEN. LEVIN: That commander had the authority to protect his forces. Is that correct?

GEN. DOWNING: He had the authority and he had the responsibility to protect his forces.

SEN. LEVIN: All right. My question is, did you ask the commander on the scene why he did not respond to Captain McLain's recommendation that the perimeter be moved 300 feet? Did you ask the general on the scene as to why he did not take some action in response to that recommendation?

GEN. DOWNING: As I recall, as we discussed this issue, the feeling was that the Saudis would not allow us to move that fence.

SEN. LEVIN: So that even though what the Saudis had rejected was a 10- or 15-foot move in terms of visibility --

GEN. DOWNING: Right. There was no way they were going to allow a 300- or 400-foot move.

SEN. LEVIN: All right. And he apparently reached that conclusion. Is that correct?

GEN. DOWNING: I --

SEN. LEVIN: The commanding general.

GEN. DOWNING: You would have to ask him, Senator.

SEN. LEVIN: All right. But that's something that you believe may have been the reason he did not ask or take up this issue with any higher --

GEN. DOWNING: That was my perception at the time.

SEN. LEVIN: But my -- the question which is critical to me is that in any event, he had the authority and he had the responsibility for force protection. He had a recommendation to move it from his own ordnance expert, and he did not make that request of higher authority to make that move. Is that correct?

GEN. DOWNING: That particular move he did not make; that is correct.

SEN. LEVIN: Or request --

GEN. DOWNING: He did not make that request.

SEN. LEVIN: -- of higher authority.

GEN. DOWNING: That's correct.

SEN. LEVIN: All right. My time is up.

SEN. THURMOND: We've now completed the first round. We'll go to a second round and have only five minutes each. (There'll be?) the only four of us here.

General Downing, your task force estimated -- and, by the way, I've just got three questions, if you'll answer them very briefly. Your task force estimated the size of the terrorist truck bomb that exploded outside the perimeter of Khobar Towers to be the equivalent of 3,000 to 8,000 pounds of explosives. In his letter to the president, Secretary Perry states that the estimated explosive yield of the bomb was the equivalent of 20,000 to 30,000 pounds. Why is there such a wide difference in the estimate of the bomb size between you and Secretary Perry?

GEN. DOWNING: Senator, I think Secretary Perry will have to tell you about the scientific estimate.

SEN. THURMOND: How's that?

GEN. DOWNING: The scientific estimate that he came up with. Our estimate was derived by field demolitions people who are, you know, military experts on demolitions. They looked at the physical evidence of the blast -- the crater size, the soil composition. They also looked at the fact that the paint peeling and glass loss on vehicles in the parking lot, the fact that there was still foliage on the trees and bushes within 120 feet of the blast. And then finally, we had a security policeman who had responded to the call for help who was approximately 80 feet from the bomb when it went off. He not only survived, but he was on his feet the next day. So our explosives experts, based on that evidence, that physical evidence, have estimated the size of the bomb to probably be around 5,000 pounds.

SEN. THURMOND: Do you now feel your estimate was more accurate or Secretary Perry's estimate?

GEN. DOWNING: We feel -- I mean, obviously I would not have brought this up if I --

SEN. THURMOND: What?

GEN. DOWNING: I would not have brought this up, Senator, if I agreed with Senator Perry's estimate -- I mean, Secretary Perry's estimate. We believe that 3,000 to 8,000, with 5,000 being the likely size, is correct.

SEN. THURMOND: General Downing, in Secretary Perry's testimony to the committee on July the 9th, he stated that the intelligence information was voluminous and pointed to a high threat level but that the information was fragmentary and inconclusive. In your report, however, you find that the intelligence information warned of a terrorist threat to United States forces in Saudi Arabia. Was the intelligence information of the threat such that local commanders and other military leaders should have taken steps to prevent an attack?

GEN. DOWNING: Sir, we think that the intelligence information was of such a nature and also other information available to the commanders was of such a nature that not only were they alerted; they actually did take many, many measures to protect themselves, which, as has been pointed out by the chairman, saved potentially other lives. So, yes, we felt the information did give them warning.

SEN. THURMOND: Senator Robb.

SEC. PERRY: Mr. Chairman, may I comment on that?

SEN. THURMOND: Yes, sir.

SEC. PERRY: Just to say that General Downing and I have no disagreement at all.

SEN. THURMOND: Mr. Secretary, speak up. This is a long hall.

SEC. PERRY: General Downing and I have no disagreement on the nature of the intelligence assessment. We both have the same view that there was adequate intelligence, that there was a threat. That is why we had a high-threat alert and that specifically there was reason to be concerned at Khobar Towers. We also agree, I believe, that the threat -- intelligence information was not of a tactical nature, but it was certainly very strong strategic threat warning. I think that is -- I think we have no difference in point of view on that.

SEN. THURMOND: General Shali, do you have any comment on this?

GEN. SHALIKASHVILI: No, I fully agree with that as well.

SEN. THURMOND: Senator Robb.

SEN. ROBB: Mr. Chairman, I have no additional questions. I might just observe, if I may -- first of all, thank you for calling the hearing. I think it is important. I think we clearly have a responsibility to certainly the families of those who were killed, those who were wounded in this attack, and perhaps even more important, in a forward-looking context, to those families who are or might be at risk if we fail to heed any of the lessons that we could learn from this particular investigation.

And we will be very much indebted to General Downing for the thoroughness and the candor of that investigation. This would otherwise be a disproportionate amount of time for the committee to take investigating a single incident, it seems to me. But given the importance of the recommendations for what we need to do in the future, I think it is entirely appropriate. And I thank all three for what I know has been an additional very long afternoon.

Thank you, Mr. Chairman.

SEN. THURMOND: Senator Levin, do you have any more questions?

SEN. LEVIN: I do. Thank you, Mr. Chairman. First, I'd like to ask the secretary if he could give us his explanation of the size of the bomb, as to why you believe it was the size you believe it was. I think we've heard from General Downing on that. I was out for a moment, but I'm wondering if, Secretary, you have a different conclusion than General Downing, whether you'd give us the basis of your conclusion.

SEC. PERRY: Shortly after I requested General Downing to conduct his investigation, we also asked what used to be called the Defense Nuclear Agency -- now it's the Defense Weapons Support Agency -- to conduct a specific assessment of the size of the bomb. These are technical people who are experts in weapons effect. They conducted an intensive study, including visits to the site and including computer simulations. Their judgment was that this bomb was probably in excess of 20,000 pounds of TNT equivalent.

I was surprised at the result and asked -- as a consequence of my surprise, asked the IDA, Institute of Defense Analysis, if they would set up a team of independent outside experts to review the DNA report. They did, and their review tended to validate those conclusions.

I don't -- whether it's 5,000 pounds or 20,000 pounds, it's a hell of a big bomb and a big threat and a big problem. I think the simplest comment I can make about the discrepancy in data is that we are submitting with this report the analysis, so any independent outside group can look that analysis and come to their own judgment about it. It's not simply a matter of making an assertion.

SEN. LEVIN: General, one question on the Mylar, which Senator Bryan has gotten into. There was a recommendation in that vulnerability assessment that there be some kind of window protection. Is that correct?

GEN. DOWNING: That's correct.

SEN. LEVIN: And was that done?

GEN. DOWNING: No, that's the Mylar. Mylar was deferred.

SEN. LEVIN: Do we know why the commanding general there did not request that Mylar?

GEN. DOWNING: He put it in his budget for next year.

SEN. LEVIN: Yeah, but do you know why he didn't do it immediately?

GEN. DOWNING: He did not feel -- well, he did not have the money and he did not feel that if he requested it, it would be given to him.

SEN. LEVIN: Have we denied any request such as that for force protection that you know of?

GEN. DOWNING: Not -- that was one of the things that we looked at, and we found that those kind of requests were not denied, except for one instance a year or two earlier, but not at that location. It was in another country and another service.

SEN. LEVIN: Last question. Secretary Perry, are you familiar with an amendment which Senator McCain and I offered to the defense authorization bill which creates a contingency account, an anti-terrorism account that you could quickly utilize? I believe you supported that with a letter, is that correct?

SEC. PERRY: Yes.

SEN. LEVIN: You indicated that although we spend about \$2 billion on anti-terrorism and perhaps \$3 billion on counter-terrorism, if you include special forces -- and although this was a fairly small amount involving, I believe, \$14 million in that account, that nonetheless, I think in your words, that that would help focus some priority on that subject and give you some flexibility to quickly utilize some funds. Is that correct?

SEC. PERRY: They're high-leverage funds. They can be used for immediate emergencies, immediate problems.

SEN. LEVIN: Are you familiar with another amendment which I offered, I believe the next day, which would have transferred some funds from a couple of fighters that the Pentagon did not request into that anti-terrorism fund?

SEC. PERRY: Yes, I am, Senator Levin.

SEN. LEVIN: Do you know whether or not that was something which had your support at the time?

SEC. PERRY: I --

SEN. LEVIN: This was for two fighters that were not requested by the Pentagon.

SEC. PERRY: I have felt for some time now that the cost of the force protection measures we're talking about is going to be quite large. We have already identified \$300 million worth of expenses. We're going to -- the expenses are going to be into the billions. The money is going to have to come from somewhere. And it would seem to me that the -- and therefore, I had a positive response to the proposal you made.

SEN. LEVIN: Thank you. Thank you very much, Mr. Chairman.

SEN. THURMOND: Senator Levin and Senator Robb, do you have any questions that would require a closed session?

SEN. LEVIN: I don't, Mr. Chairman.

SEN. ROBB: Mr. Chairman, I have no questions. I think that we could pursue other information that should not be disclosed in open session. But I think for the purposes of our hearing and our oversight, the matters that we have addressed in open session are sufficient for whatever conclusions we want to draw from them.

SEN. THURMOND: Do you have any other questions, either one of you?

SEN. ROBB: Not at this time, Mr. Chairman.

SEN. LEVIN: I will have a question for the record, Mr. Chairman, if that's all right. I will have one question about this operational control question.

SEN. THURMOND: All right. Secretary Perry, General Shali and General Downing, do you have any information that you feel you'd like to pass to the committee in closed session?

SEC. PERRY: I do not, Mr. Chairman.

GEN. SHALIKASHVILI: I do not, sir.

GEN. DOWNING: I do not.

SEN. THURMOND: Well, I guess there won't be any closed session, then. (Laughter.) Now, does anybody have anything further they wish

to say? Any senators with any further questions? If not, I want to take this opportunity to thank the senators who have been here and been faithful in this hearing. I want to thank the staff. They've done such a good job. And I want to thank you witnesses, Secretary Perry, General Shali and General Downing, for your presence and for your testimony. Thank you very much.

We now stand adjourned.

SEC. PERRY: Thank you, Mr. Chairman.

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